



**Planning Commission
Wednesday, May 7, 2025
4:00 PM**

**You can watch the meeting live online on our website at tosv.com.
To join the meeting remotely, please use the Teams Meeting information below:**

**Microsoft Teams
Meeting ID: 240 118 256 801
Passcode: tVvbuE
Agenda**

- 1. ROLL CALL**
- 2. APPROVAL OF MEETING MINUTES**
 - 2.a. APPROVAL OF APRIL 23, 2025 MEETING MINUTES**
[4.23.25 Meeting Minutes.docx](#)
- 3. ITEMS FOR DISCUSSION**
 - 3.a. VARIANCE REQUEST: RIDGE RUN UNIT 1, LOT 5**
[1. PC Mtg Agenda Memo - Lot 61, RRI_VARIANCE.pdf](#)
[EXHIBI~1.PDF](#)
[Exhibit B - 40 Lot 61, RRI VARIANCE SET.pdf](#)
[Exhibit C - Public Works referral 04282025.pdf](#)
 - 3.b. VARIANCE REQUEST: RIDGE RUN UNIT 4, LOT 5**
[0 - PC Mtg Agenda Memo - Lot 5, RRIV_VARIANCE.pdf](#)
[1 - PH Publication Notice for PC 5-7-25.pdf](#)
[2 - PC Reso 4, 2025 - Lot 5, RRIV_DRAFT.pdf](#)
[2a - EXHIBIT 'A' of PC Reso 4, 2025 Variance.pdf](#)
[3 - Colorado Parks & Wildlife comments, 3-7-25.pdf](#)
[4 - Letter and Notes to TOSV Planning Commission.pdf](#)
 - 3.c. COMMUNITY DEVELOPMENT UPDATES**
- 4. ADJOURNMENT**

TOWN OF SNOWMASS VILLAGE

PLANNING COMMISSION
MEETING MINUTES

January 22, 2025

Members Present:

Brian Marshack
Jim Gustafson
Stan Clauson
Matt Dube
Jami McMannes
David Seglin
Doug Faurer

Staff Present:

Dave Shinneman
Jim Wahlstrom
Ashleigh Huff

Members Absent:

Others Present: Chris Kiley, Mak Keeling, John Perko

Call to order: The meeting was called to order at 4:00 pm, and roll was called. Commissioner Gustafson was absent at roll call and arrived late to the meeting at 4:02 pm.

Item 1: Approval of Meeting Minutes:

The minutes from the February 19, 2025, meeting were presented for approval. Commissioner McMannes motioned to approve, seconded by Commissioner Gustafson. Approved 7-0.

Item 2 Elk Camp Restaurant Special Review

Dave Shinneman, Community Development Director, opened the discussion. Mr. Shinneman started the discussion with an overview of the proposal: an 1,898 square-foot deck addition to the east side of the Elk Camp restaurant. The project requires a Special Review due to the property's zoning and PUD guide, though no public notice was required for the Planning Commission meeting. However, public notice will be necessary for the Town Council meeting should the project proceed. Mr. Shinneman turned the presentation over to the applicant.

Chris Kiley with Aspen Skiing Company began the meeting by discussing a critical project aimed at addressing ongoing seating shortages, especially during peak times. He referenced previous discussions around The Cabin and The Ullrhoff, as well as the Snowmass Master Development Plan, highlighting the

46 importance of improving the food and beverage strategy. Mr. Kiley emphasized
47 the challenge of finding a cost-effective solution to the seating issue but
48 introduced today's proposal as a promising solution, including the addition of
49 120 seats to one of their most popular restaurants. He then passed the
50 presentation over to Mak Keeling and John Perko, who are managing the project.

51
52 Mak Keeling began his presentation with a discussion of the need for restaurant
53 expansion due to overcrowding, especially with the Ullrhoff closure. The project
54 would add 120 seats, along with some indoor seating removed for better
55 circulation. The design will use materials matching the existing restaurant, with
56 new umbrella shades. The kitchen and back-of-house areas can support the
57 added capacity, and the project will include new waste and dish stations. The
58 deck and lift repositioning will improve traffic flow. Mr. Kiley then turned the
59 discussion over to the planning commissioners for further discussion.

60
61 Commissioner Gustafson raised concerns about long restroom lines for women
62 and suggested improved signage for additional restrooms. Commissioner
63 McMannes shared the sentiment. Mr. Keeling assured the commissioners that
64 while they are unable to add an extra bathroom, adequate signage for all
65 restroom locations would be added to the project. Commissioner McMannes
66 voiced concerns about accessibility for the Challenge Aspen participants. Mr.
67 Keeling assured her that the design was chosen because it meets all ADA
68 requirements. Mr. Keeling also addressed concerns regarding the energy
69 consumption of heating the proposed space. Mr. Keeling addressed
70 Commissioner Faurer's concerns regarding summer traffic, special events, and
71 emergency access. The use of the space beneath the deck was considered, with
72 the possibility of utilizing it for shaded seating or storage, though it will not be
73 used for active purposes due to water runoff and fire safety concerns.

74
75 Commissioner Gustafson voiced concerns with the architecture of the addition,
76 specifically about the window configurations and column designs, particularly
77 the need for columns to appear sturdier and more consistent with the existing
78 building style. Commissioner Seglin echoed Commissioner Gustafson's
79 concerns. The applicant expressed support for maintaining the architectural
80 integrity of the original design, with some flexibility on column cladding, but the
81 importance of fire-resistant materials was emphasized.

82
83 Commissioner McMannes asked, clarifying questions regarding the scope of the
84 project. Chair Dube posed a question to the applicant regarding their agreement
85 to the employee mitigation condition in the resolution. Mr. Kiley, Aspen Skiing
86 Company, said the applicant was generally in agreement.

87
88 Commissioners moved the discussion to the staff-prepared resolution.
89 Commissioner Gustafson expressed support for the project and left the meeting
90 at 4:42 pm.
91

Mr. Keeling initiated the discussion of the resolution, requesting that condition #8 be stricken, as the Elk Camp campus is not located within the restricted zone identified by the Colorado Division of Wildlife. Both staff and commissioners agreed to remove the condition.

The discussion then moved to condition #5, concerning the proposed architectural elements. After further deliberation, the condition was modified. The applicant and staff agreed to review the architectural details on the underside of the deck and revise the plans to incorporate materials and design changes that better align with the existing structure. The revised design will be included in the packet for the Town Council's review.

Commissioner Marshack expressed his support for the revised condition and began to motion for approval. Mr. Kiley intervened to discuss condition #3 regarding employee mitigation. Chair Dube concurred with Mr. Shinneman's suggestion to authorize staff to collaborate with the applicant to clarify this condition. The commissioners agreed.

Vice Chair Marshack motioned to approve Resolution 2 of 2025 with all stated and amended conditions. Commissioner Faurer seconded the motion, and it passed unanimously, with 6 in favor and 0 opposed. Commissioner Gustafson was absent from the vote.

Item 3: Community Development Director Updates

- Variances for 211 Deer Ridge and 40 Maple Ridge will be coming before the Commissioners next meeting
- Lighting code discussion
- Workforce Housing Special Review/Code Amendments discussion

Motion to adjourn by Commissioner Faurer, seconded by Commissioner Seglin. All in favor. None opposed.

The meeting was adjourned at 5:09 p.m.

MEMORANDUM

TO: Town of Snowmass Village Planning Commission

FROM: Brian McNellis, Senior Planner
Community Development Department

SUBJECT: Public Hearing and Resolution No. 3, Series of 2025: Lot 5, Ridge Run Unit I, (40 Maple Ridge Lane) Variance Request: Retaining wall encroachment within an 11-foot setback and drainage/utility easement

DATE: May 7, 2025 meeting

OVERVIEW: Fritz Carpenter ("Applicant") on behalf of 40 Maple Ridge Lane LLC ("Owner"), submitted a land use application for a Variance on April 11, 2025 to construct "structures" outside of the established building envelope. The application can be accessed from the Town's website via this link: [Ridge Run 1 Lot 61 Variance](#)

The application requests a variance to build a soil-nail retaining wall along the rear property line of the subject parcel - below Faraway Road. As stated in the application, *"This will stabilize and eliminate the lateral earth pressure forces being exerted in the existing basement and basement foundation walls....This is necessary to stabilize the hill supporting Faraway Road and remove lateral earth pressure on the residence and allow for repairs on the structure itself to realign primary and secondary structural elements back into plumb."*

The proposed retaining wall be approximately 13 feet tall as reference the application drawings (see Exhibit B attached) and the applicable code sections referenced below.

BACKGROUND: The Ridge Run Unit I Subdivision Plat was approved in 1967 and the subject property is zoned SF-30.

The Faraway Road right-of-way is 60 feet in width and traverses the subject parcel to the south. There is a 11 foot utility/drainage easement adjacent to road along the southern property boundary. This easement was encroached upon during the construction of the residence but was legitimized by a building envelope adjustment that encroached into the easement pursuant a Variance request recorded at Reception #387606, Bk: 800, Pg: 445 of the Pitkin County records.

The applicant is requesting the ability to encroach into the utility/drainage easement and setback area for the purpose of constructing a soil-nail retaining wall. The applicant would also like to establish a patio over the excavated area in accordance with the Architectural/Engineering drawings (see Exhibit B attached).

The attached draft Resolution No. 3 includes general findings and is included as attached (see Exhibit A).

REQUIRED ACTION: Planning Commission may approve, approve with conditions or deny any or all of the Applicant's request for a Variance.

PUBLIC NOTICE REQUIREMENTS: The public hearing notice was published in the Aspen Times as required by Municipal Code, Sec. 16A -5-60. Affidavits for the required mailing and posting of the property by the Applicant are available upon request.

MUNICIPAL CODE STANDARDS:

Purpose of a Variance. In accordance with Section 16A-5-240(s) 'Purpose,' "*a Variance is a deviation from the standards of the Development code that is necessitated by special circumstances or conditions of the physical site (such as exceptional topography, or the narrowness, shallowness or shape of a particular piece of property), that would create practical difficulties for, or an unusual hardship upon the owners of the land if the provisions of this Code were to be strictly enforced.*"

The Town municipal code standards in this case, are stated below:

Sec. 16A-3-200. Zone district dimensional limitations.

(b) Construction in Required Setbacks and Outside Designated Building Envelopes.

(1) Structures on or below finished grade. A structure (said structure being defined as no higher than thirty [30] inches above finished grade, such as a deck or parking pad) shall not be more than four (4) feet in height above existing grade and shall not project into the affected portion of a required setback more than one-half (½) the distance from the building envelope to the property line and no closer than ten (10) feet to the property line, whichever is more restrictive.

Town staff comments: At approximately 13 feet in height, the proposed retaining wall meets the definition of a "structure" which must be contained inside the established building envelope unless a Variance is granted.

Sec. 16A-4-50. - Geologic hazard areas, steep slopes.

(d) Development Prohibited on Slopes Greater Than Thirty Percent (30%). No development shall be allowed on any slope greater than thirty percent (30%), except in the following circumstances:

(2) Lots subdivided prior to January 1, 1987. Development may be allowed on lots and within approved building envelopes containing areas of slopes greater than thirty percent (30%) if the lot was subdivided prior to January 1, 1987.

(3) Man-made slopes. Development may be permitted on slopes greater than thirty percent (30%) that are the result of minor man-made cutting or filling of an otherwise continuous natural slope.

a. The development is unable to avoid the steep slopes, and the reasons therefor; and

b. On the basis of competent engineering or geologic reports and data and testimony received, the design and/or construction techniques that will be incorporated within the development will satisfactorily

mitigate the risk of potential harm to the public health, safety or welfare.

Town staff comments: The proposed retaining wall is proposed in an area that is steeper than 30 percent grade. The existing slope may be considered 'man-made' meeting criterion (d)(2) above. That said, the unstable nature of slope area of consideration justifies the request for this Variance as detailed in the S K Peightal Engineers Ltd. report included as part of the application.

Sec. 16A-5-240 Variances

Pursuant to the Municipal Code a Variance application shall comply with **all** of the Review Standards below:

1. ***Special Circumstances Exist:*** *"There are special circumstances or conditions, such as exceptional topography, or the narrowness, shallowness or shape of the property, that are peculiar to the land or building for which the variance is sought, and do not apply generally to land or buildings in the neighborhood."*

Town Staff comments: The lot is exceedingly steep as viewed from Faraway Road and is well beyond 30% grade. That said, the existing slope may be considered "exceptional topography."

2. ***Not Result of Applicant:*** *"The special circumstances and conditions have not resulted from any act of the applicant."*

Town Staff comments: The existing special circumstances and conditions of the property were not the result of the Applicant.

3. ***Strict Application Causes Practical Difficulties:*** *"The special circumstances and conditions are such that the strict application of the provisions of this Development Code would result in practical difficulties to and undue hardship upon the use of the land or building."*

Town Staff comments: The existing special circumstances and conditions have already resulted in "hardship" for the property owner which could be remedied by this Variance request. The proposed retaining wall is engineered to alleviate pressure on the existing structure while stabilizing Faraway Road – as supported by the Public Works Department (see Exhibit C attached).

Staff questions however, the appropriateness of the patio extension in association with the proposed retaining wall improvements and whether the request is justified by the standards required for a Variance approval. Not only will the proposed patio encroach to the edge of the property (and within a few feet of the roadway above) it will make it more difficult for the Town to maintain the drainage/utility easement if required in the future.

4. ***Necessary to Relieve Practical Difficulties:*** *"The granting of the variance is necessary to relieve the applicant of the practical difficulties and undue hardship in the use of the land or building and is the minimum variance that could be granted to achieve said relief."*

Town Staff comments: The Variance may be necessary to relieve the Applicant of practical difficulties and undue hardship to achieve the desired results and use of the property being sought. As previously mentioned, the specific request for a patio installation in concert with the retaining wall is not necessarily warranted by the “hardship” described herein.

- 5. *Not Adversely Affect Neighborhood:*** *“The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the property in question, will not impair an adequate supply of light or air to adjacent property, will not increase the danger of fire or otherwise endanger public safety or the public interest, and will not substantially diminish or impair property values within the neighborhood.”*

Town Staff comments: The proposed retaining wall will not be readily seen from adjacent properties or Faraway Road. It may provide stabilization to Faraway Road which is of benefit to the neighborhood and adjacent properties.

- 6. *Harmony with Development Code:*** *“The granting of the variance will be in harmony with the purposes and intent of this Development Code, including the intent of the underlying zone district. No variance shall be approved that permits the construction or enlargement of any building or decks and related structures for any use prohibited in the underlying zone district.”*

Town Staff comments: The proposed Variance does not affect the intent of the Ridge Run Unit One PUD and is not a prohibited use in the SF-30 zone. The proposed deck amenity does not align with the intent of the zone district and the established setbacks of the Land Use Code.

- 7. *Consistent with Comprehensive Plan:*** *“The granting of the variance will be consistent with the intent of the Comprehensive Plan.”*

Town Staff Comments: The proposal is not contrary to any of the goals set forth in the Comprehensive Plan.

STAFF RECOMMENDATION: Town Staff recommends the Planning Commission approve with conditions the attached Resolution as drafted.

Exhibits:

- A. Draft Resolution No. 3, Series of 2025
- B. Architectural/Engineering Drawings
- C. Public Works email 04/28/2025

TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION

RESOLUTION NO. 3
SERIES OF 2025

A RESOLUTION APPROVING A VARIANCE FOR A RETAINING WALL
SITUATED OUTSIDE THE ESTABLISHED BUILDING ENVELOPE FOR LOT
61, RIDGE RUN I SUBDIVISION (40 MAPLE RIDGE LANE)

WHEREAS, Adam Segan of 40 Maple Ridge LLC 'Applicant' and Owner of Lot 61, Ridge Run I (40 Maple Ridge Lane) submitted a Variance application on April 11, 2025 to request a variance to construct a retaining wall to alleviate lateral pressure on the foundation of the existing residence while stabilizing Faraway Road as described or illustrated in attached Exhibit "A" incorporated herein; and

WHEREAS, a public hearing notice was published in the Snowmass Sun on April 7, 2025, and the Applicant submitted signed affidavits for the mailing and posting of the public hearing notice; and

WHEREAS, a public hearing was held before the Planning Commission at a regular meeting on May 7, 2025, to review the application, receive public comments, and consider the recommendations of Town Staff; and act upon this resolution; and

WHEREAS, said variance request was processed pursuant to Section 16A-5-240, Variances, and the application considered by the Planning Commission pursuant to Section 16A-5-70, Action by decision-making body of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Snowmass Village, Colorado:

Section One: Findings. After the public hearing, Planning Commission made the following findings:

1. The Applicant has submitted sufficient information pursuant to Section 16A-5-40(b), Minimum Contents and Section 16A-5-240(b)(2) of the Municipal Code, for Town Staff and the Planning Commission to adequately review the proposed Variance application.
2. All public notification requirements, as specified in Section 16A-5-60, Notice of public hearings of the Municipal Code, have been satisfied.
3. The Application is compliant with all the applicable review standards specified within Section 16A-5-240(c), 'Review Standards' of the Municipal Code. The specific findings are:
 - a. Special circumstances do exist;
 - b. The special circumstances were not created by the applicant
 - c. Strict application 'of the Land Use Code' cause practical difficulties;
 - d. The request is necessary to relieve practical difficulties;
 - e. The request would not adversely affect the neighborhood;

- 54 f. The request is in harmony with the 'intent' of the Development Code; and
55 g. The request is consistent with the Comprehensive Plan.
56
57 4. The applicant satisfactorily demonstrated that the proposed encroachment will
58 not extend into the Faraway Road right-of-way.
59

60 **Section Two: Action.**

61
62 The Planning Commission hereby approves the Variance for the retaining wall
63 encroachment with a height variance within the front 20-foot setback on Lot 61,
64 Ridge Run Unit I as further illustrated and described on the attachments
65 incorporated herein and pursuant to the findings set forth in Section One: 'Findings'
66 above and subject to the conditions in Section Three: 'Conditions' below.
67

68 **Section Three: Conditions.**

- 69
70 1. This approval is subject to the recording of this Resolution, at the Applicant's
71 expense, in the Real Estate Records of the Clerk and Recorder of Pitkin
72 County, Colorado.
73
74 2. This Variance specifically for the engineered soil-nail retaining wall to encroach
75 outside of the established building envelope as shown per the Variance
76 application and as described in this Resolution No. 3 of 2025 or as illustrated
77 in attached Exhibit "A." No additional "as-built" conditions, variances or
78 modifications are permitted without the express, written approval of the Town.
79 This approval does not constitute the approval of patio encroaching into the
80 established setbacks of the property.
81
82 3. The property owner shall work closely with the Public Works Department as
83 needed to assure that the stabilization of Faraway Road is not compromised
84 during construction of the retaining wall as approved herein and shall alert Staff
85 should any concerns arise during/after excavation or upon project completion.
86

87 **Section Four: Severability.** If any provision of this Resolution or application
88 hereof to any person or circumstance is held invalid, the invalidity shall not affect
89 any other provision or application of this Resolution which can be given effect
90 without the invalid provision or application, and, to this end, the provisions of this
91 Resolution are severable.
92

93 **INTRODUCED, READ AND ADOPTED,** on the motion of Planning
94 Commission member _____ and the second of Planning Commission
95 member _____ by a vote of ____ in favor and ____ against, on this 7th day of
96 May 2025. Absent were Commission members _____.
97

98 TOWN OF SNOWMASS VILLAGE
99 PLANNING COMMISSION
100

101
102
103 _____
104 Matthew Dube, Chairperson
105
106

107 ATTEST:

108

109

110

111 _____
Asheigh Huff, Planning Commission Secretary

112

113 Attachments:

114 Exhibit "A" – Engineering drawings

DRAFT

CONSULTANTS

OWNER
ADAM SEGAN
16850 Collins Ave.
Suite 112-656
Sunny Isles Beach, Fl 33160 .
adam.segan@gmail.com
(786) 489-2233
CONTRACTOR
TBD

PROPERTY LOCATION:

STRUCTURAL	ADDRESS: 40 Maple Ridge Lane Snowmass, CO 81615
GLENWOOD STRUCTURAL & CIVIL INC	LEGAL DESCRIPTION: RIDGE RUN UNIT 1
812 PITKIN AVE.	OWNER: ADAM SEGAN
GLENWOOD SPRINGS CO 81601	PARCEL ID#: 273506303022
ADOLFO GORRA	ZONING: SF-30 (SINGLE FAMILY RESIDENTIAL 30)
970-928-0135	LOT SIZE: 39,149 SQFT
GSC@SOPRIS.NET	CONSTRUCTION TYPE: VA
	FLOOR AREA RATIO: .13 TO A MAX OF 4500

SURVEYOR

Aspen Survey LLC
210 S GALENA #22 ASPEN, CO.
Michael@aspensurveying.net

LANDSCAPE DESIGN

CAGE FREE CREATIVE
erin@cagefreecreative.co
609.213.3321

BUILDING DESCRIPTION:

# OF STORIES ABOVE GRADE:	1
# OF STORIES BELOW GRADE:	1
DETACHED GARAGE # OF CARS:	2
BEDROOMS:	4
FULL BATHS:	4
1/2 BATHS:	1

GEOTECHNICAL

KUMAR A + ASSOCIATES
5020 County Road 154
Glenwood Springs, Colorado 81601
(970) 945-7988
jparsons@kumarusa.com

CIVIL

Crystal River Civil LLC
Vince Tomczak, P.E.
Vince@CrystalRiverCivil.com
1101 Village Rd UL-3C
Carbondale, CO 81623

TOWN OF SNOWMASS DESIGN CRITERIA

GROUND SNOW LOAD	100PSF
WIND SPEED EXPOSURE CATEGORY	89/B
SEISMIC DESIGN CATEGORY	C
WEATHERING	SEVERE
FROST LINE DEPTH	36 INCHES
TERMITE	NONE TO SLIGHT
DECAY	NONE TO SLIGHT
WINTER DESIGN TEMP	-15° F
SUMMER DESIGN TEMP	82°F
ICE SHIELD UNDERLAYMENT	YES
FLOOD HAZARDS	NO
AIR FREEZING INDEX	2000
MEAN ANNUAL TEMP	40°

TOWN OF SNOWMASS ADOPTED CODES

2021 INTERNATIONAL BUILDING CODE
2021 INTERNATIONAL RESIDENTIAL CODE
2021 INTERNATIONAL ENERGY CONSERVATION CODE
2021 INTERNATIONAL PLUMBING CODE
2021 INTERNATIONAL MECHANICAL CODE
2021 INTERNATIONAL FIRE CODE
2021 INTERNATIONAL EXISTING BUILDING CODE
2023 NATIONAL ELECTRIC CODE



EXISTING



PROPOSED

Fritz Carpenter Design
319 AABC Studio E
Aspen CO 81611

fritz.carpenter@ucdenver.edu

PID: 273506303022

40 MAPLE RIDGE LANE
SNOWMASS CO
81615

REVISION
08/15/2022 DD + ASBUILTS
09/14/2022 PRELIM ENGINEERING
10/15/2024 structural set
03/03/25 soil nail prelim
03/12/25 VARIANCE SET

DRAWN BY: FC

NOT FOR
CONSTRUCTION

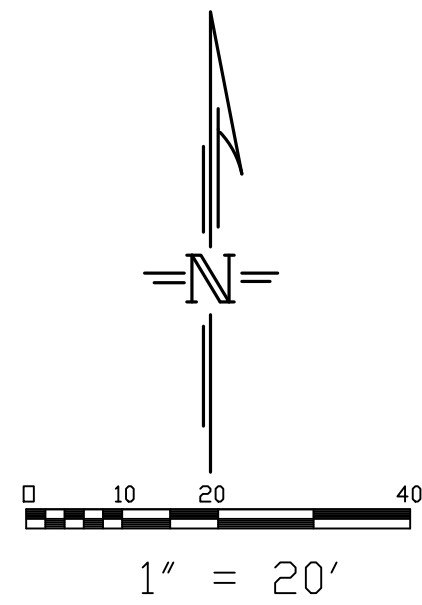
SHEET TITLE

COVER

SHEET NUMBER

1-COVER

TOPOGRAPHIC SURVEY
LOT 61
RIDGERUN UNIT 1
TOWN OF SNOWMASS VILLAGE
PITKIN COUNTY, COLORADO



NOTES

- 1) LEGAL DESCRIPTION:
LOT 61, RIDGERUN UNIT 1, ACCORDING TO THE PLAT RECORDED DECEMBER 21, 1967 IN PLAT BOOK 3 AT PAGE 281 IN THE COUNTY OF PITKIN, STATE OF COLORADO.
- 2) BASIS OF BEARING:
BEARINGS BASED ON EAST LINE OF LOT 61, RIDGERUN UNIT 1 PLAT RECORDED IN PLAT BOOK 3 AT PAGE 281.
BEING A BEARING OF S16°15'00"E BETWEEN A FOUND #5 REBAR AND 1¼" YPC LS# 9018 AT THE N.E. WITNESS CORNER AND A FOUND #5 REBAR AND 1¼" YPC LS# 9018 AT THE S.E. PROPERTY CORNER.
- 3) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR. TITLE INFORMATION RELIED UPON FOR THE PREPARATION OF THIS SURVEY FURNISHED BY LAND TITLE GUARANTEE COMPANY, COMMITMENT NO. Q62013999, DATED 02/11/2022. IF AN EXCEPTION IS NOT SHOWN HEREON, IT EITHER DOES NOT AFFECT THE PARCEL, NOT A SURVEY MATTER OR IS NOT PLOTTABLE.
- 4) UNIT OF MEASUREMENT FOR THIS SURVEY IS THE U.S. SURVEY FOOT.
- 5) POSTED ADDRESS IS 40 MAPLE RIDGE LN, SNOWMASS VILLAGE, CO 81615.
- 6) ELEVATIONS BASED GPS OBSERVATION NAVD 88 DATUM. BENCHMARK=8411.97 AT SPIKE SHOWN HEREON. CONTOUR INTERVAL IS 1(ONE) FOOT.
- 7) UNDERGROUND UTILITIES SHOWN HEREON LOCATED BY OTHERS AND MAY BE APPROXIMATE.

LEGEND

- INDICATES FOUND MONUMENT AS DESCRIBED.
- YPC 1¼" YELLOW PLASTIC CAP ON #5 REBAR
OPC 1¼" ORANGE PLASTIC CAP ON #5 REBAR
- (A) ABOVE GRADE
(G) AT GRADE
(B) BELOW GRADE
EM ELECTRIC METER
GM GAS METER
(D) DRAIN
(C) CLEANOUT
DECIDUOUS TREE
EVERGREEN TREE
- ⊠ ELECTRIC TRANSFORMER
Ⓢ TELEPHONE RISER
(R) RECORD
FF FINISHED FLOOR
BM BENCHMARK
GS GARAGE SLAB
(P) WATER FEATURE PUMP
⊗ CURB STOP
- G — BURIED GAS LINE
— C — BURIED COMMUNICATION LINE
— E — BURIED ELECTRICAL LINE
— W — BURIED WATER LINE

LINE	BEARING	DISTANCE
L1	S 16°15'00" E	72.25'
L2	S 74°44'25" W	41.98'
L3	N 84°53'48" W	59.12'
L4	N 07°28'57" E	46.82'
L5	S 82°51'08" E	25.00'
L6	N 07°21'54" E	15.97'
L7	N 70°43'15" E	48.95'

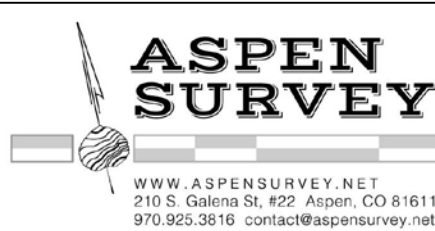
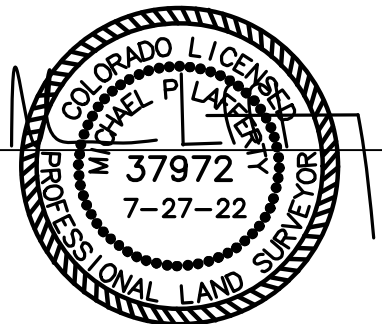
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	373.67'	50.00'	49.96'	N 74°33'39" E	7°40'00"
C2	505.55'	70.44'	70.38'	S 74°42'45" W	7°59'00"
C3	904.69'	103.42'	103.36'	S 72°56'00" W	6°32'59"

SURVEYOR'S CERTIFICATE

I, MICHAEL P. LAFFERTY, HEREBY CERTIFY THAT THIS MAP ACCURATELY DEPICTS AN TOPOGRAPHIC SURVEY PLAT PERFORMED UNDER MY SUPERVISION ON 07/2022 OF THE ABOVE DESCRIBED PARCEL OF LAND. THE LOCATION AND DIMENSIONS OF ALL IMPROVEMENTS, EASEMENTS, RIGHTS-OF-WAY IN EVIDENCE OR KNOWN TO ME AND ENCROACHMENTS BY OR ON THESE PREMISES ARE ACCURATELY SHOWN.

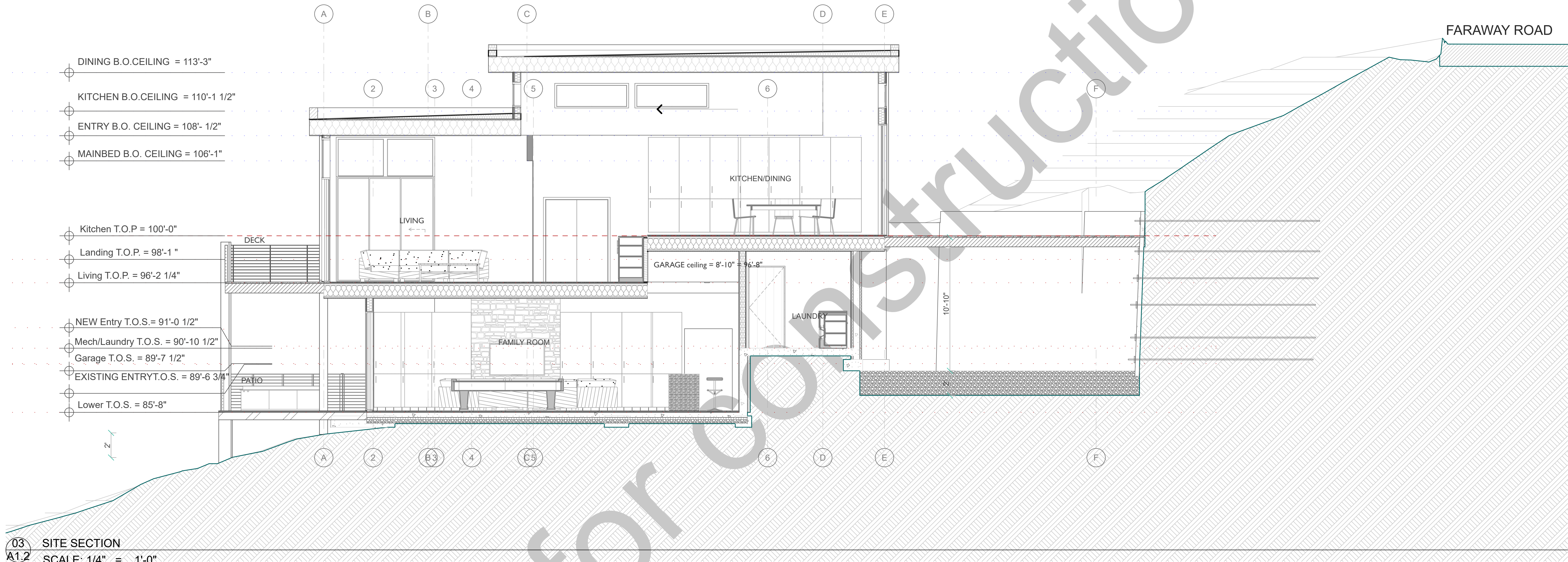
MICHAEL P. LAFFERTY PLS. # 37972

DATE:



DATE SURVEYED: 02/2022
DATE REVISED: 07/2022
FILE NO: 220220
CLIENT: SEGAN

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



Fritz Carpenter Design
319 AABC Studio E
Aspen CO 81611

fritz.carpenter@ucdenver.edu

PID: 273506303022

40 MAPLE RIDGE LANE
SNOWMASS CO
81615

REVISION
08/15/2022 DD + ASBUILTS
09/14/2022 PRELIM ENGINEERING
10/15/2024 structural set
03/03/25 soil nail prelim
03/12/25 VARIANCE SET

DRAWN BY: FC
**NOT FOR
CONSTRUCTION**

SHEET TITLE

SITE SECTION

SHEET NUMBER

A1.2



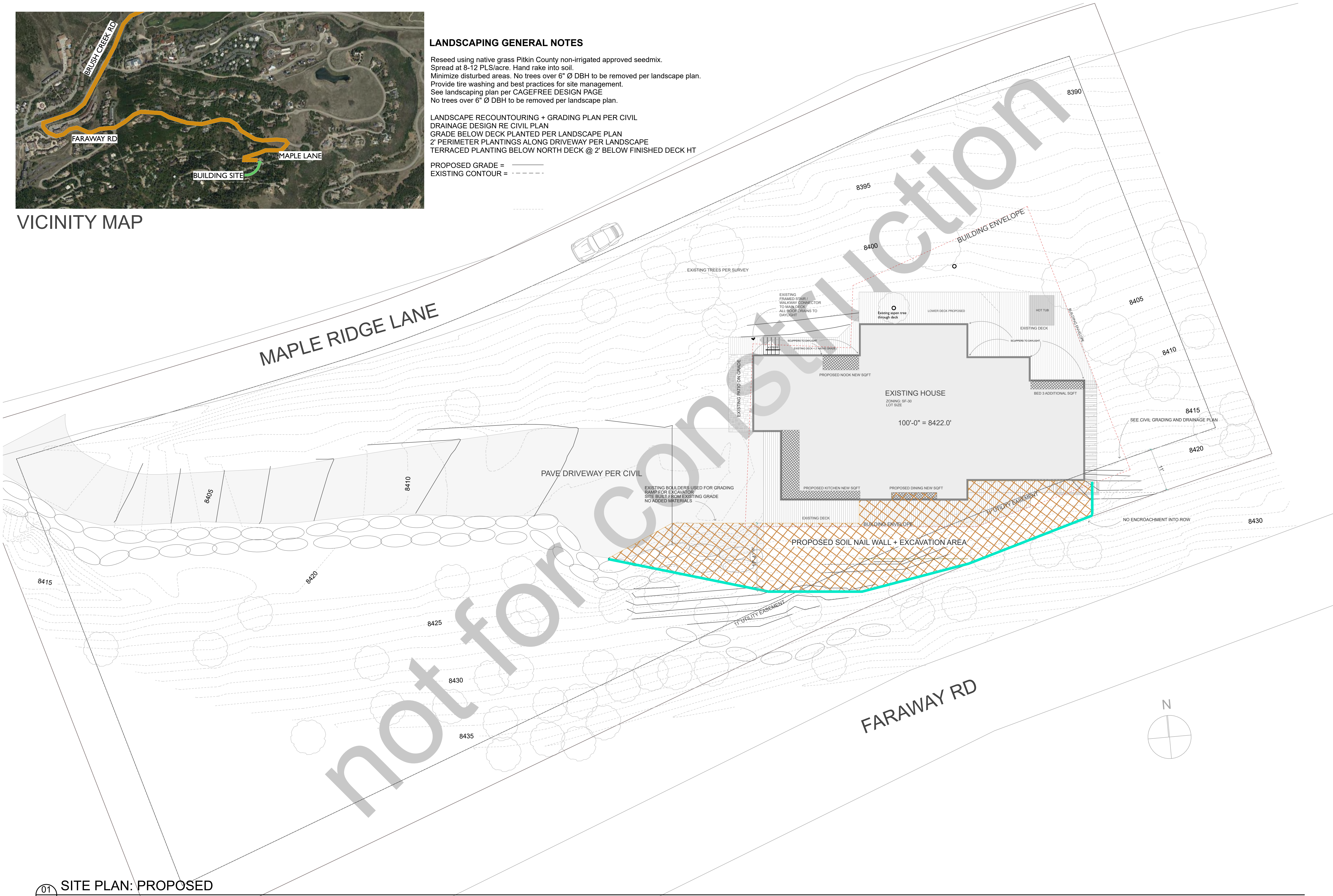
VICINITY MAP

LANDSCAPING GENERAL NOTES

Reseed using native grass Pitkin County non-irrigated approved seedmix.
Spread at 8-12 PLS/acre. Hand rake into soil.
Minimize disturbed areas. No trees over 6" Ø DBH to be removed per landscape plan.
Provide tire washing and best practices for site management.
See landscaping plan per CAGEFREE DESIGN PAGE
No trees over 6" Ø DBH to be removed per landscape plan.

LANDSCAPE RECOUNTURING + GRADING PLAN PER CIVIL
DRAINAGE DESIGN RE CIVIL PLAN
GRADE BELOW DECK PLANTED PER LANDSCAPE PLAN
2' PERIMETER PLANTINGS ALONG DRIVEWAY PER LANDSCAPE
TERRACED PLANTING BELOW NORTH DECK @ 2' BELOW FINISHED DECK HT

PROPOSED GRADE = _____
EXISTING CONTOUR = - - - - -



REVISION

08/15/2022 DD + ASBUILTS
09/14/2022 PRELIM ENGINEERING
10/15/2024 structural set
03/03/25 soil nail prelim
03/12/25 VARIANCE SET

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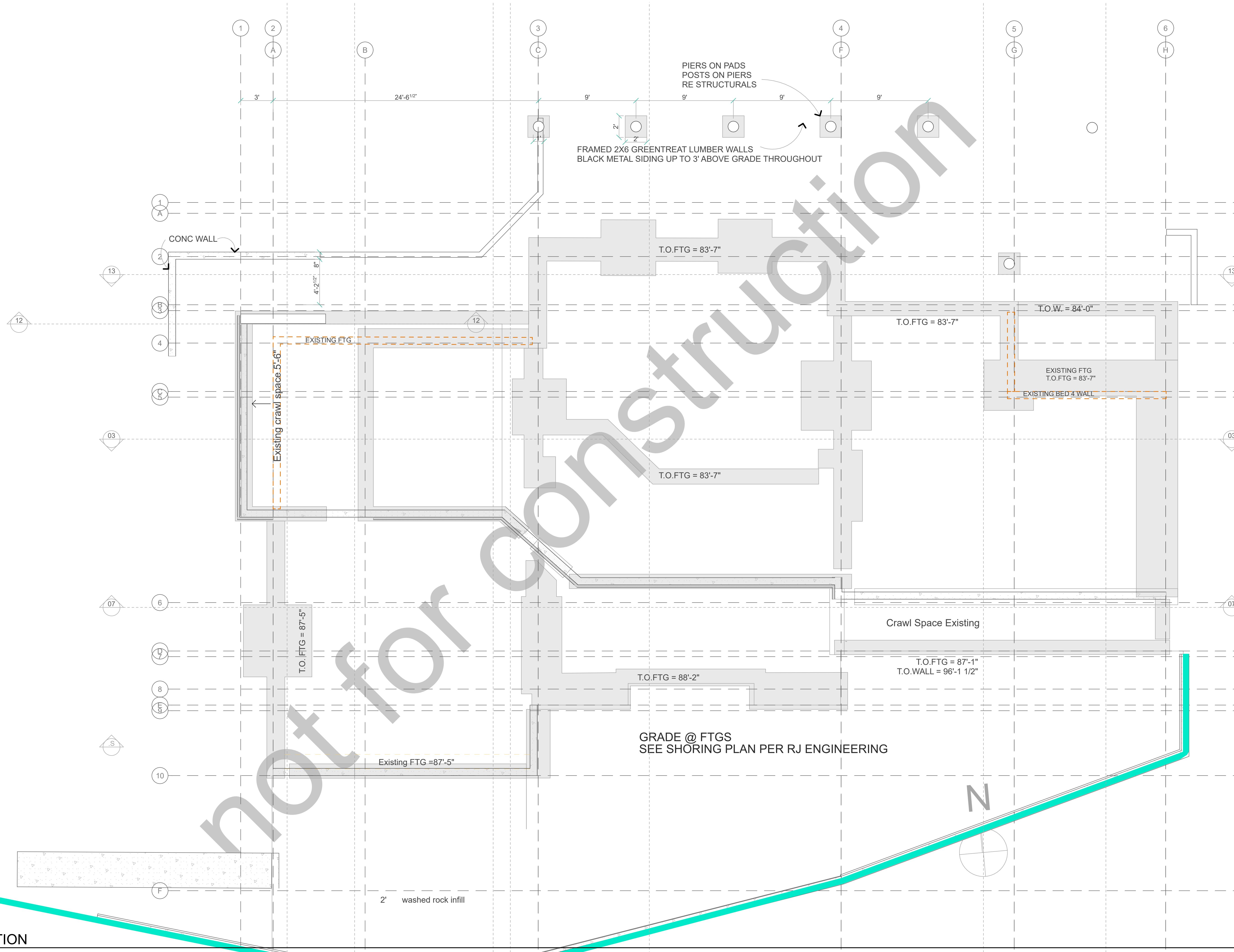
NOT FOR
CONSTRUCTION

SHEET TITLE

FOUNDATION

SHEET NUMBER

A2.001



Scope of work:
Driveway grading + drainage per landscape and civil plan

Lower:

- Repair south garage wall after soil nail excavation.
- Demo curved entry roof. New entryway with EPDM flat roof. New scupper locations drain to daylight
- Demo existing entry closet add door to garage. New entry level = 87'-10" match garage ht.
- REPAIR Stone entry landing + stairs to wrap around front entry for access to lower deck.
- Demo stairs to laundry room, frame close the wall.
- Demo stairs from entry to lower, reframe and add corner off of bedroom 2.
- Demo bathroom 2, add shower under stairs. New closet + bathroom layout.
- Demo bed 3, 4 closets, bathrooms. New bathroom layouts and closets.
- Bed 4 bumps 2' north with new foundation, wall + windows and trim.
- New windows + sliding doors to all of lower
- Interior trim + paint throughout.
- Demo existing log post corners, add lap siding accent trim see detail D-06
- Lower Deck demo, rebuild to square off corners with house lines.

Main:

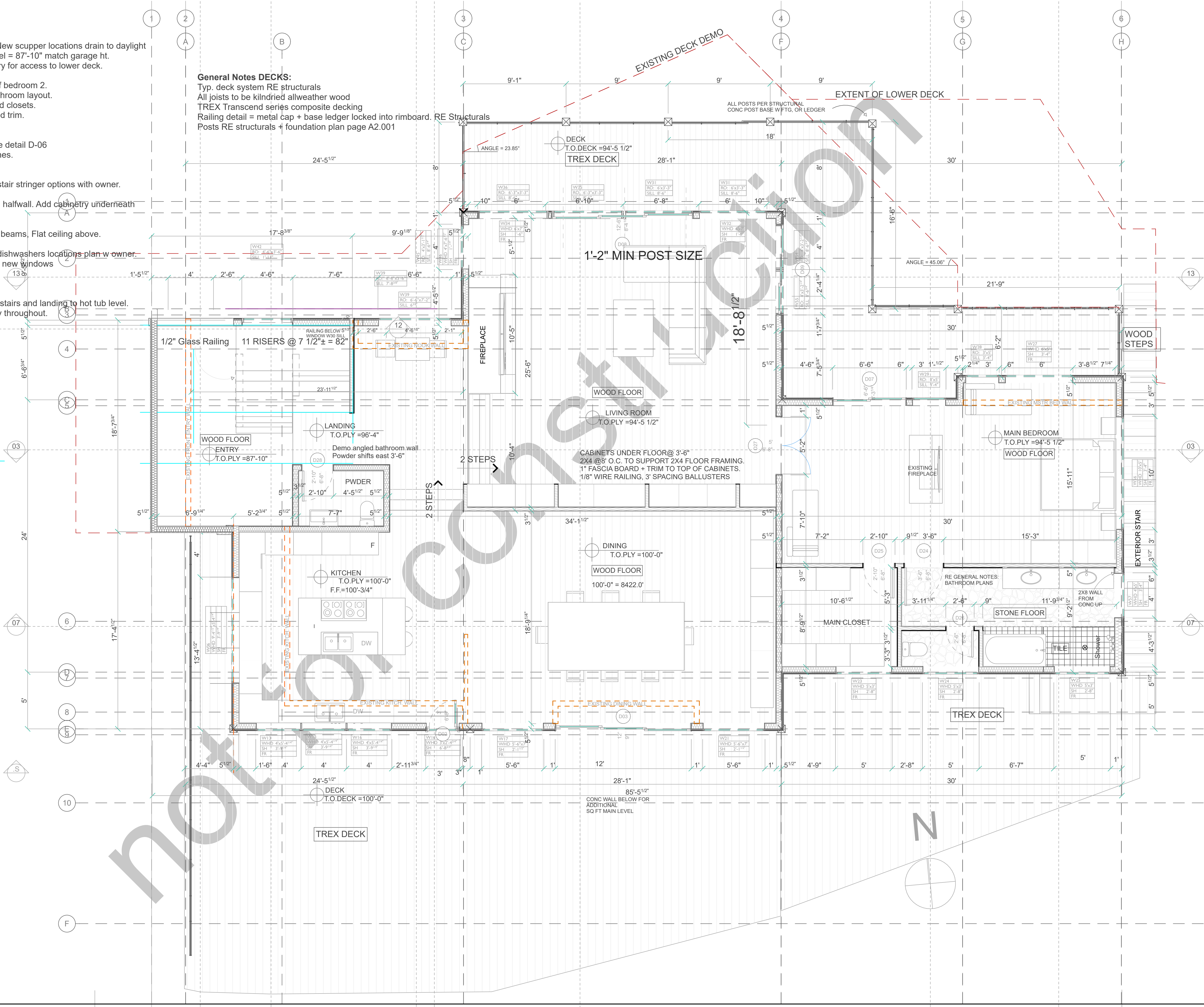
- Demo and reframe stair from entry, to main landing. Discuss stair stringer options with owner.
- Demo existing north nook, frame flush to north wall.
- Cover atrium opening with floor joists to meet new living room halfwall. Add cabinetry underneath floor, finish railing w 1/8" Ø wire @ 6" spacing
- Dining south wall demo in-cut to create flat wall.
- Demo kitchen stemwall facing dining room. Evaluate soffit for beams. Flat ceiling above.
- Extend west Kitchen ext. wall 4"-6"
- Kitchen upgrade cabinetry (7'-0") appliances, 2 new sink + 2 dishwashers locations plan w owner.
- Mastr. bathroom new fixtures. reframe + paint toilet + closet + new windows
- Interior trim and paint throughout.
- New windows and sliding doors all of main.
- Extend MSTR bed deck over Bed 4 north wall expansion.
- Deck to expand south pending envelope approval. Add wood stairs and landing to hot tub level.
- Wood SIDING ON Entry addition, existing stucco painted grey throughout.
- Demo upper deck, square off with house lines.
- All wood corner posts to be squared 8x8. Verify with owner

GENERAL NOTES STRUCTURE

1.5" topping slab + 3/4" ff = 2 1/4"
t.o.ply dining room = 100'-0"
bottom wall out of plumb check level. need to evaluate structure possible shoring to.
18" web joists flat. sloped roof to outside roof clear spans most spaces. check for ledgers bottom vs top chords bearing for rafters
5" + 6" risers garage to laundry
BLUE LINE = FIELD VERIFIED

General Notes DECKS:

Typ. deck system RE structurals
All joists to be kilndried allweather wood
TREX Transcend series composite decking
Railing detail = metal cap + base ledger locked into rimboard. RE Structurals
Posts RE structurals + foundation plan page A2.001



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REVISION

08/15/2022 DD + ASBULTS
09/14/2022 PRELIM ENGINEERING
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03/12/25 VARIANCE SET

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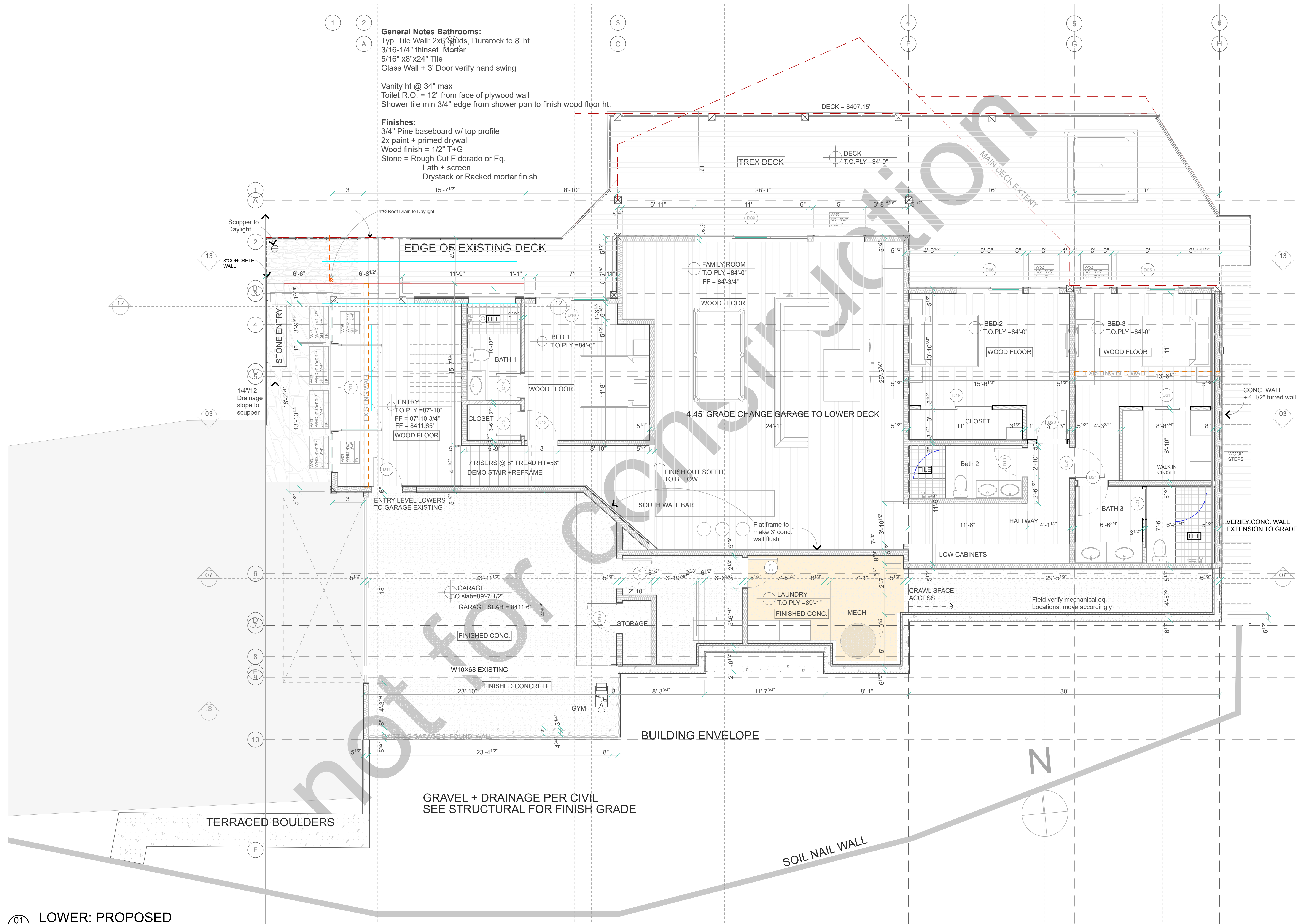
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SHEET TITLE

**MAIN:
PROPOSED**

SHEET NUMBER

A2.003



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CONSTRUCTION

SHEET TITLE

UPPER :
PROPOSED

SHEET NUMBER

A2.004

03 UPPER PROPOSED
A2.004 SCALE: 1/4" = 1'-0"

RECEIVED
03/13/2025

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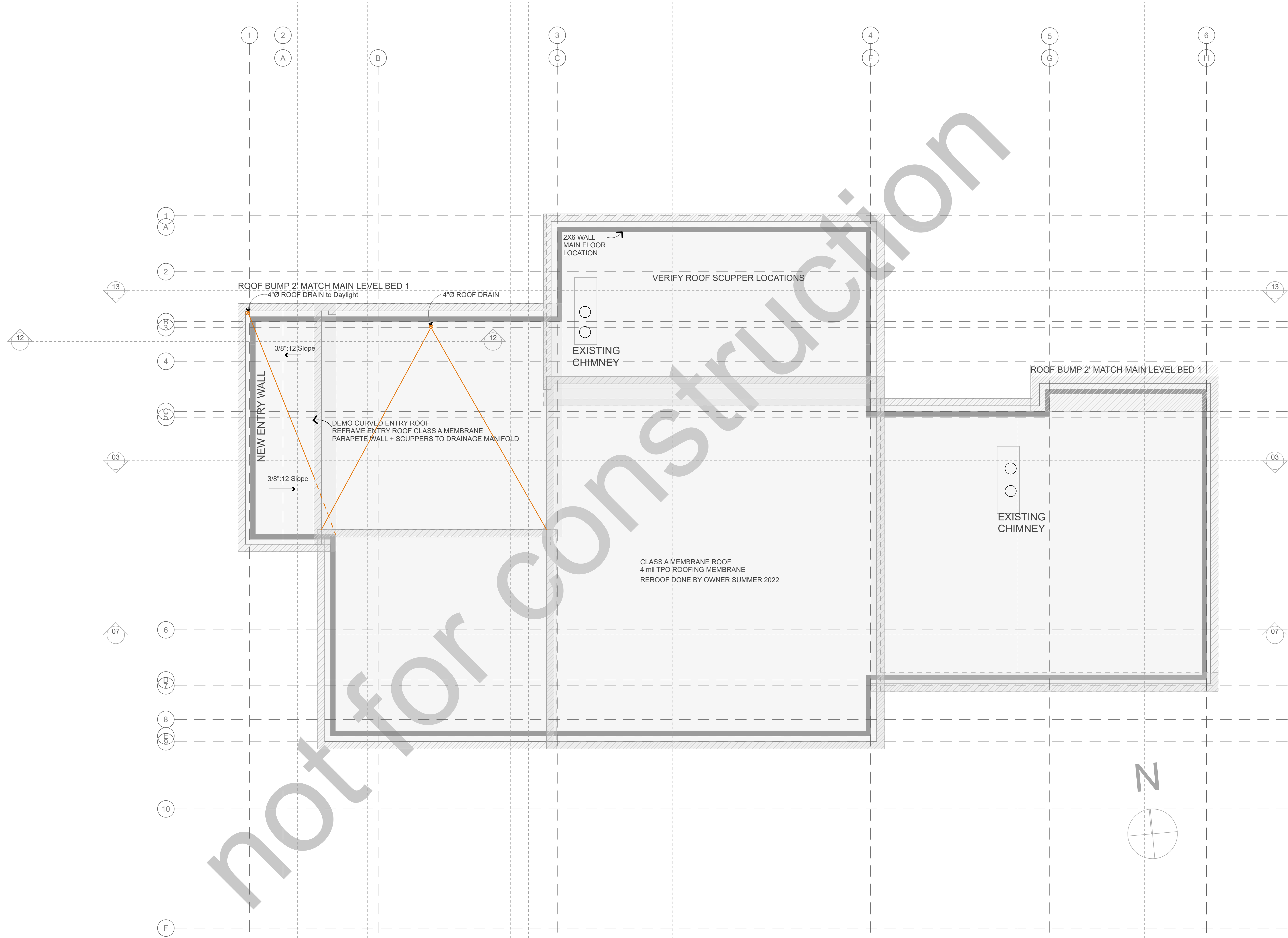
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SHEET TITLE

ROOF:
PROPOSED

SHEET NUMBER

A2.005



PID: 273506303022

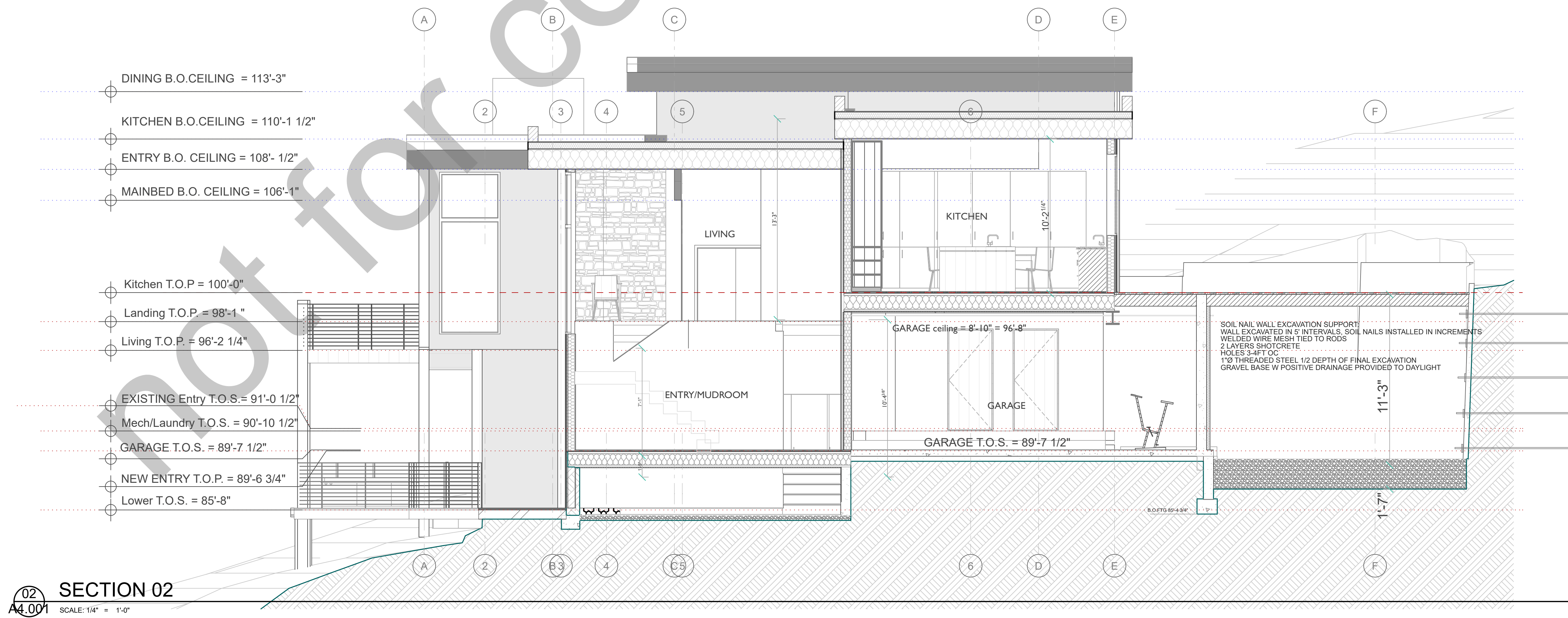
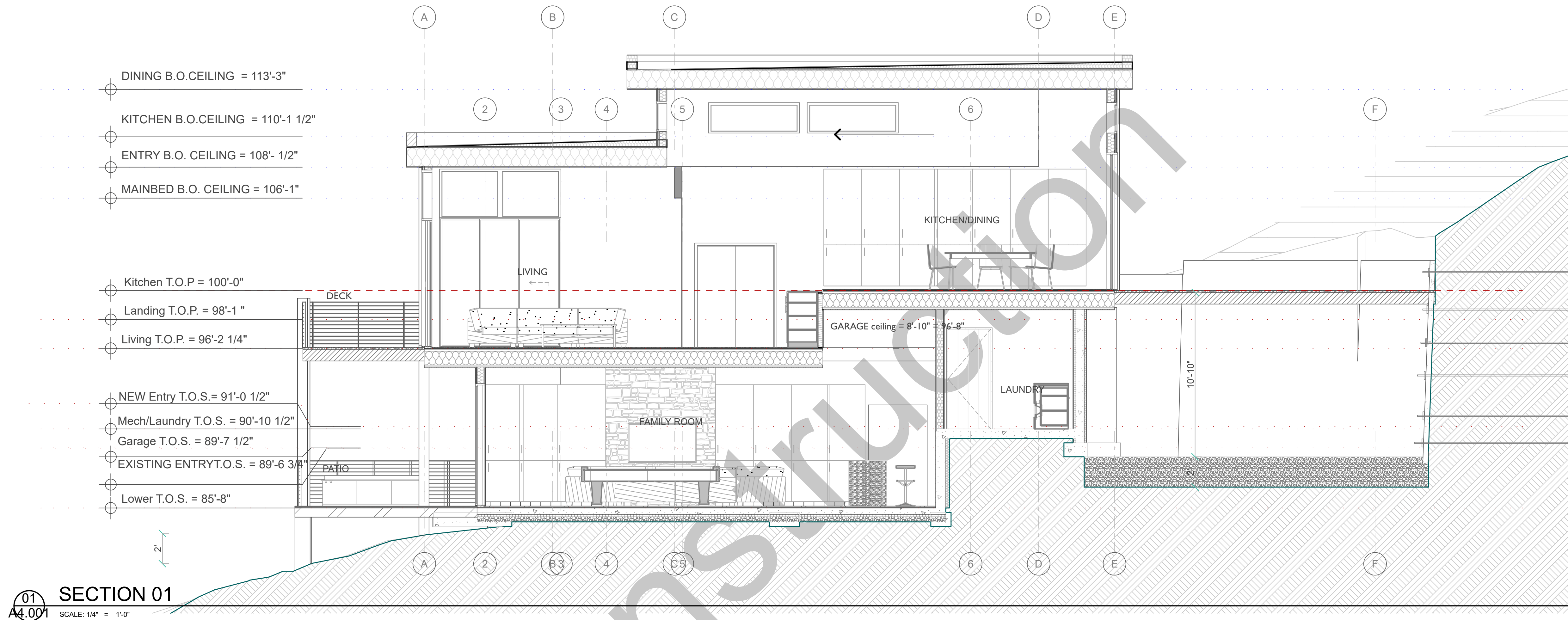
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SHEET TITLE

PROPOSED:
SECTION 1

SHEET NUMBER

A4.001

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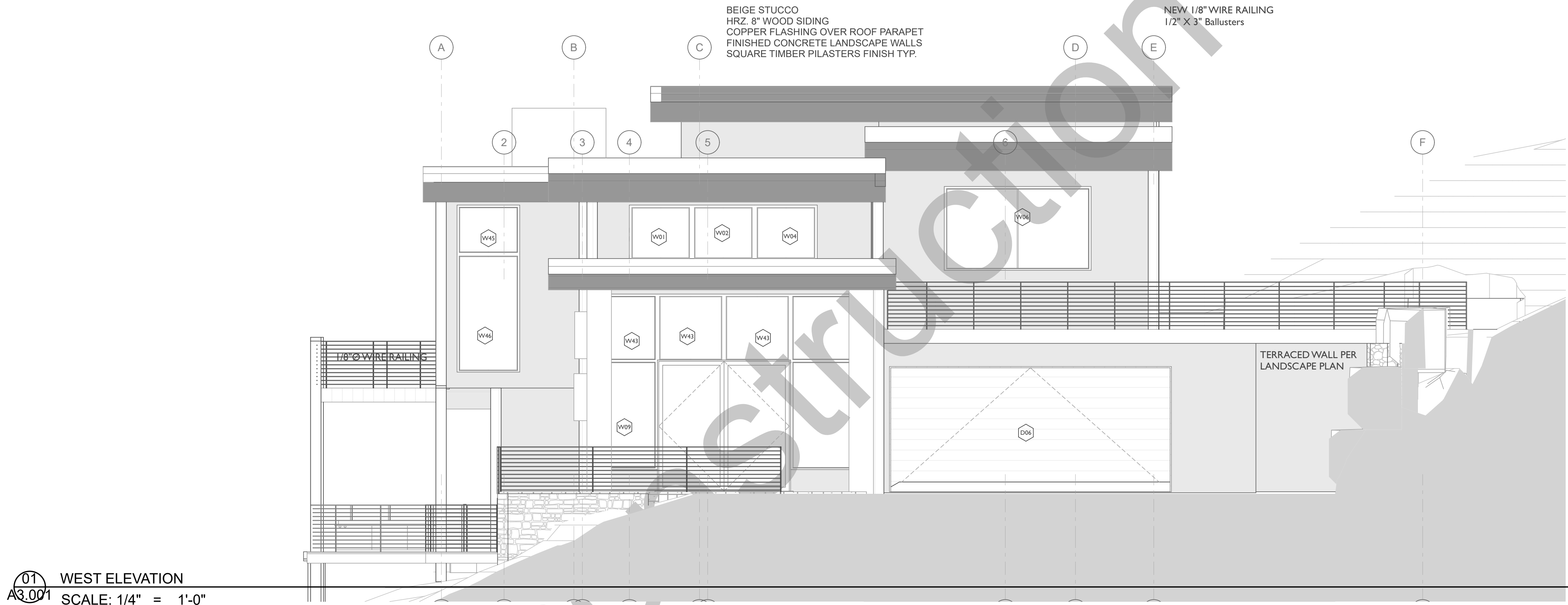
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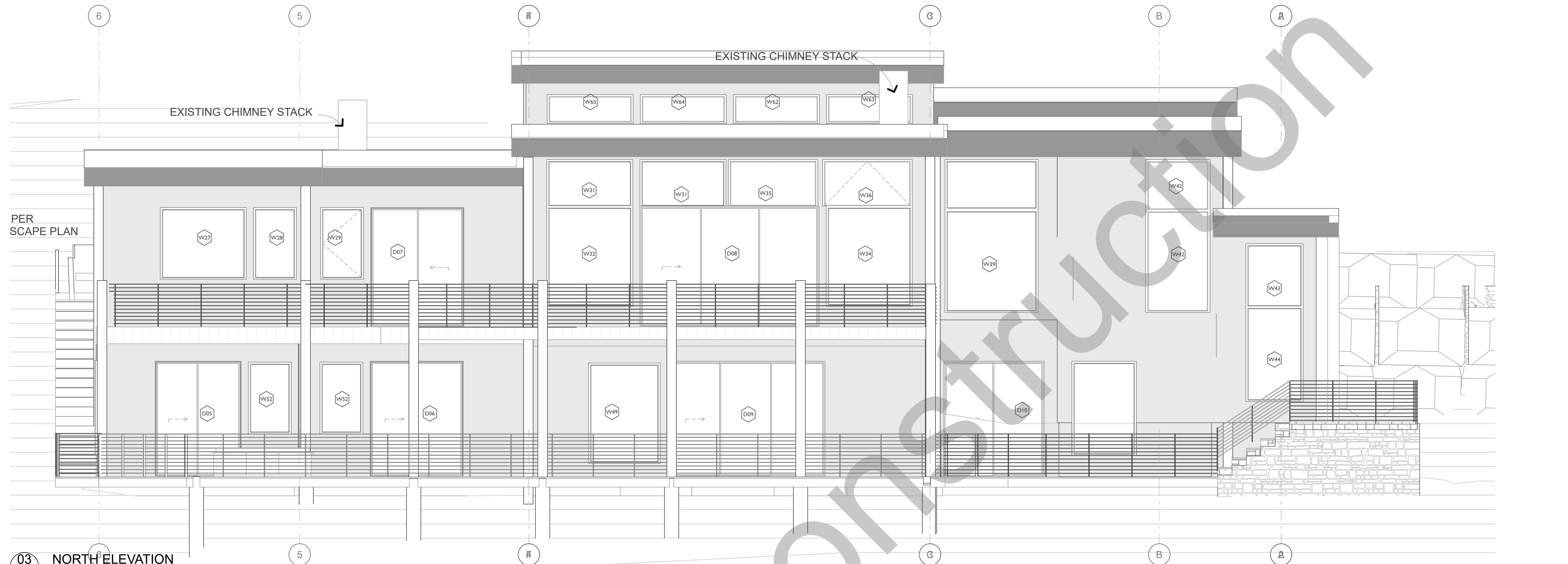
SHEET TITLE

PROPOSED:
ELEVATION

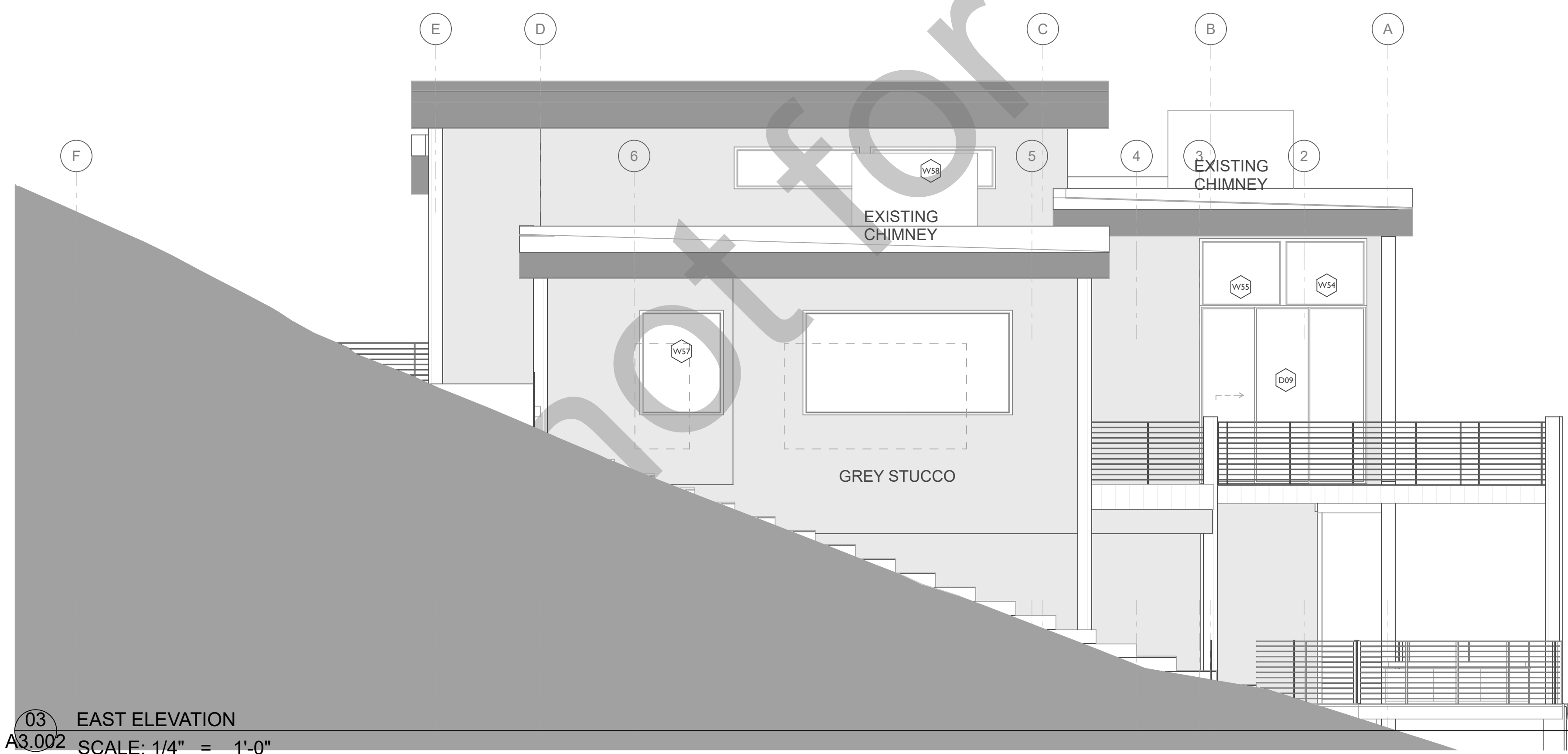
SHEET NUMBER

A3.001





03 NORTH ELEVATION
A3.002 SCALE: 1/4" = 1'-0"



03 EAST ELEVATION
A3.002 SCALE: 1/4" = 1'-0"

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SHEET TITLE

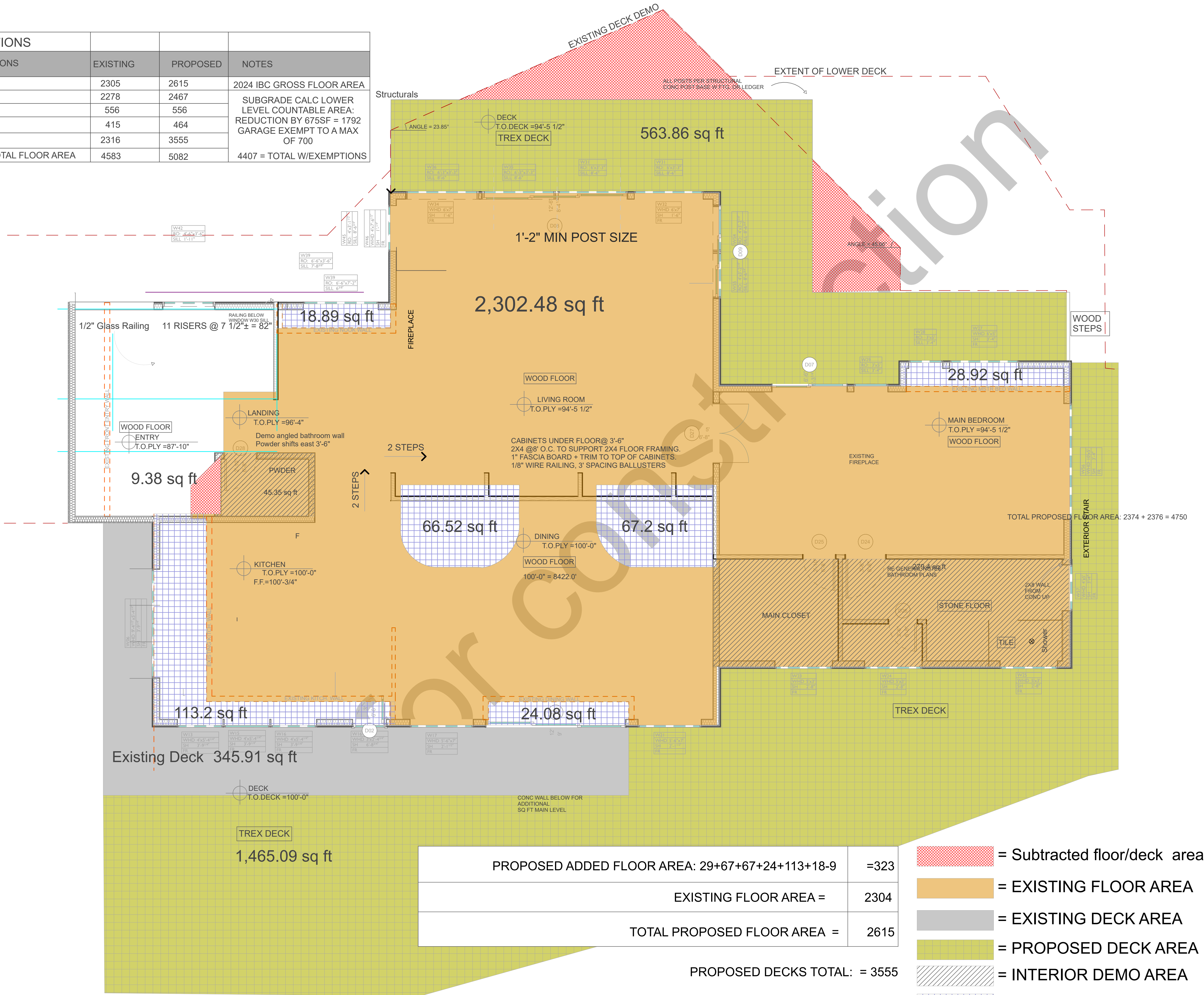
PROPOSED:
ELEVATION 2

SHEET NUMBER

A3.002

FLOOR AREA CALCULATIONS			
HOUSE FLOOR AREA CALCULATIONS	EXISTING	PROPOSED	NOTES
MAIN LEVEL	2305	2615	2024 IBC GROSS FLOOR AREA SUBGRADE CALC LOWER LEVEL COUNTABLE AREA: REDUCTION BY 675SF = 1792 GARAGE EXEMPT TO A MAX OF 700
LOWER LEVEL	2278	2467	
GARAGE	556	556	
CRAWL SPACE	415	464	
DECKS	2316	3555	
TOTAL FLOOR AREA	4583	5082	4407 = TOTAL W/EXEMPTIONS

window areas: 1269 ft
gross wall area: 5499
window to wall ratio: 23%



PROPOSED MAIN FLOOR AREA

SCALE: 1/4" = 1'-0"

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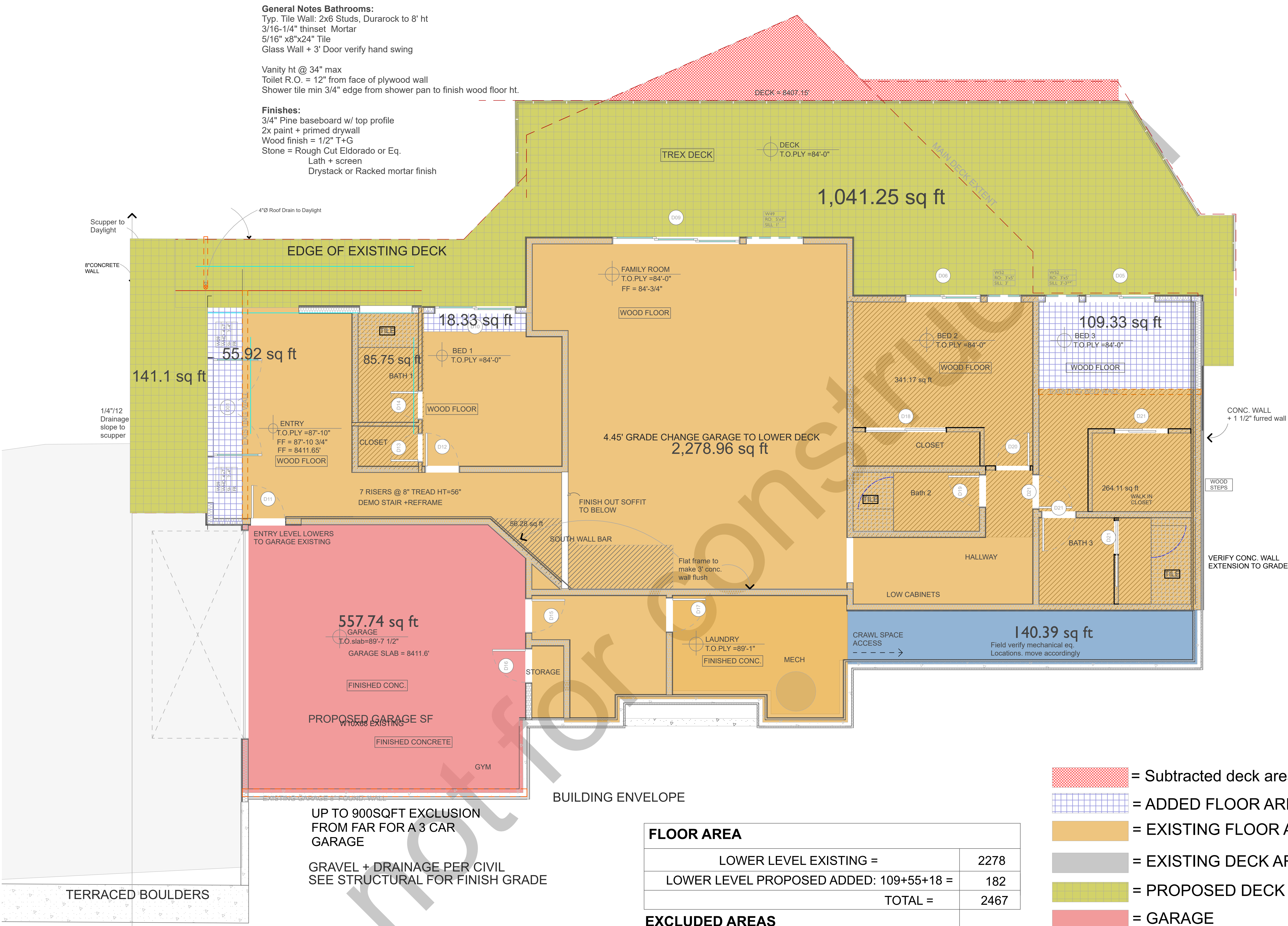
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SHEET TITLE

FAR: FLOOR
AREA

SHEET NUMBER

A5.001



General Notes Bathrooms:
Typ. Tile Wall: 2x6 Studs, Durarock to 8' ht
3/16-1/4" thinset Mortar
5/16" x8"x24" Tile
Glass Wall + 3' Door verify hand swing

Vanity ht @ 34" max
Toilet R.O. = 12" from face of plywood wall
Shower tile min 3/4" edge from shower pan to finish wood floor ht.

Finishes:
3/4" Pine baseboard w/ top profile
2x paint + primed drywall
Wood finish = 1/2" T+G
Stone = Rough Cut Eldorado or Eq.
Lath + screen
Drystack or Racked mortar finish

FLOOR AREA		
LOWER LEVEL EXISTING =		2278
LOWER LEVEL PROPOSED ADDED: 109+55+18 =		182
TOTAL =		2467
EXCLUDED AREAS		
LOWER LEVEL UNENCLOSED DECK:	141+1041 =	1360
	GARAGE=	556
	CRAWL SPACE: 275+49+140=	464

- = Subtracted deck area
- = ADDED FLOOR AREA
- = EXISTING FLOOR AREA
- = EXISTING DECK AREA
- = PROPOSED DECK AREA
- = GARAGE
- = CRAWL SPACE
- = DEMOLITION AREA

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SHEET TITLE

FLOOR AREA

SHEET NUMBER

A5.002

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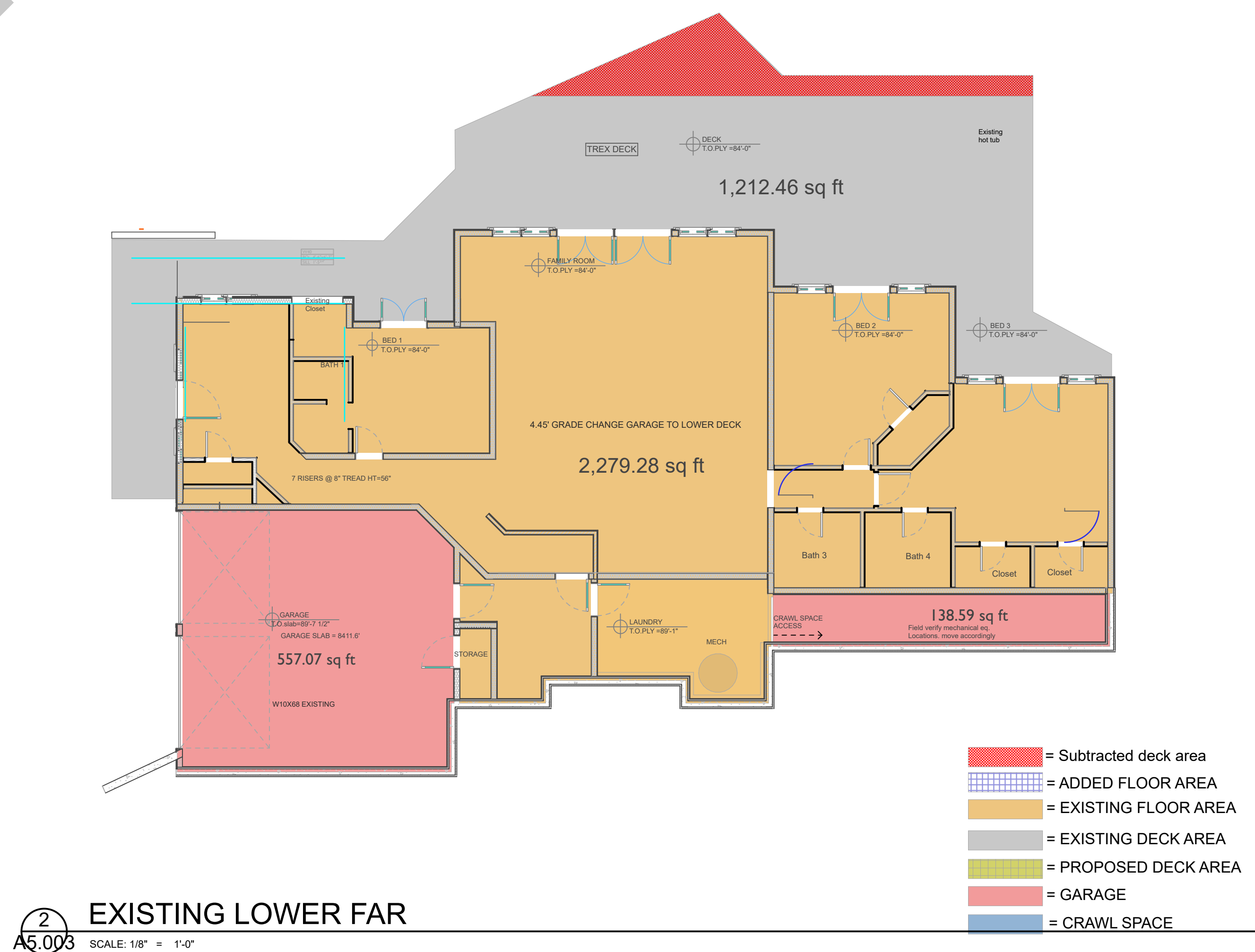
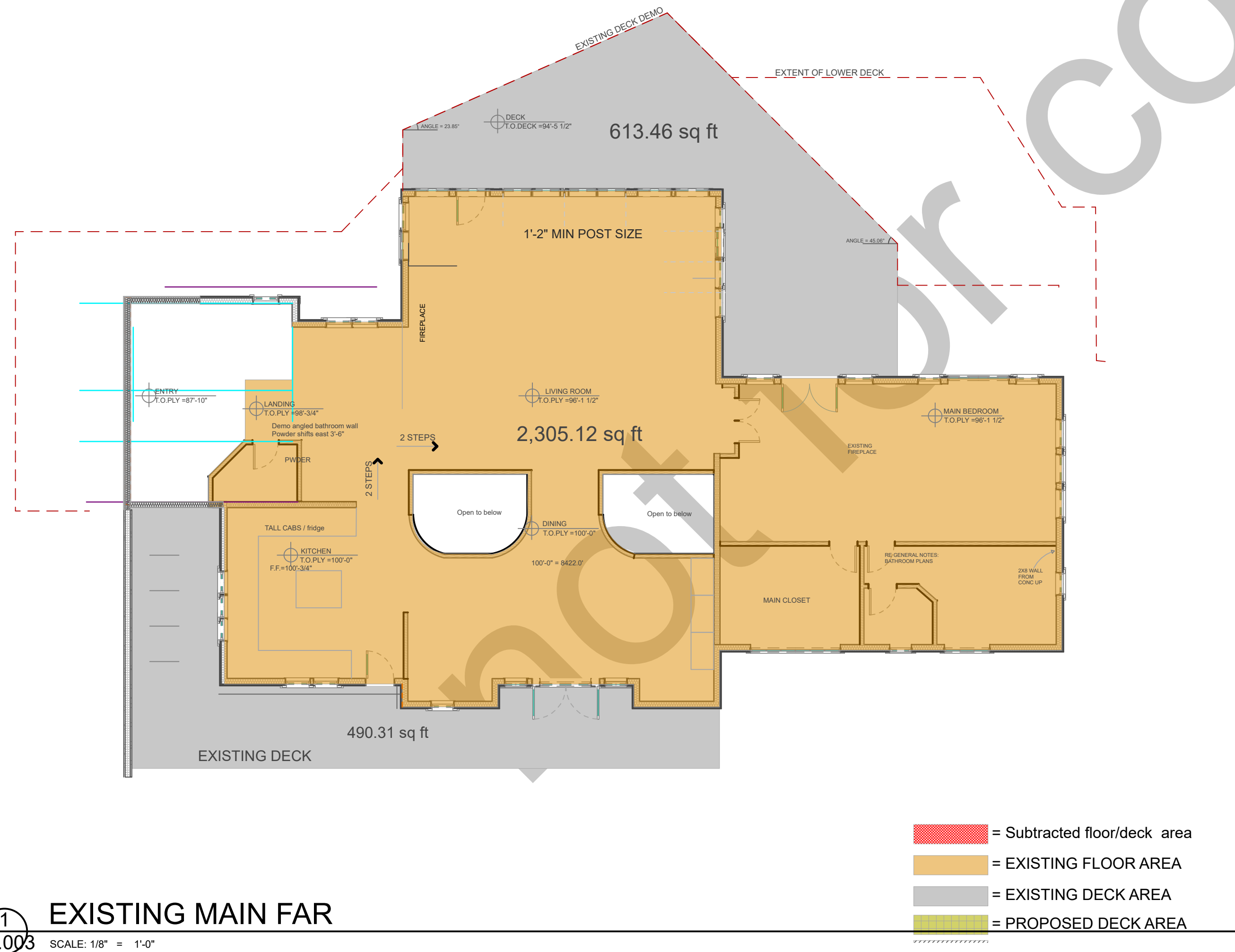
SHEET TITLE

FAR: FLOOR
AREA EXISTING

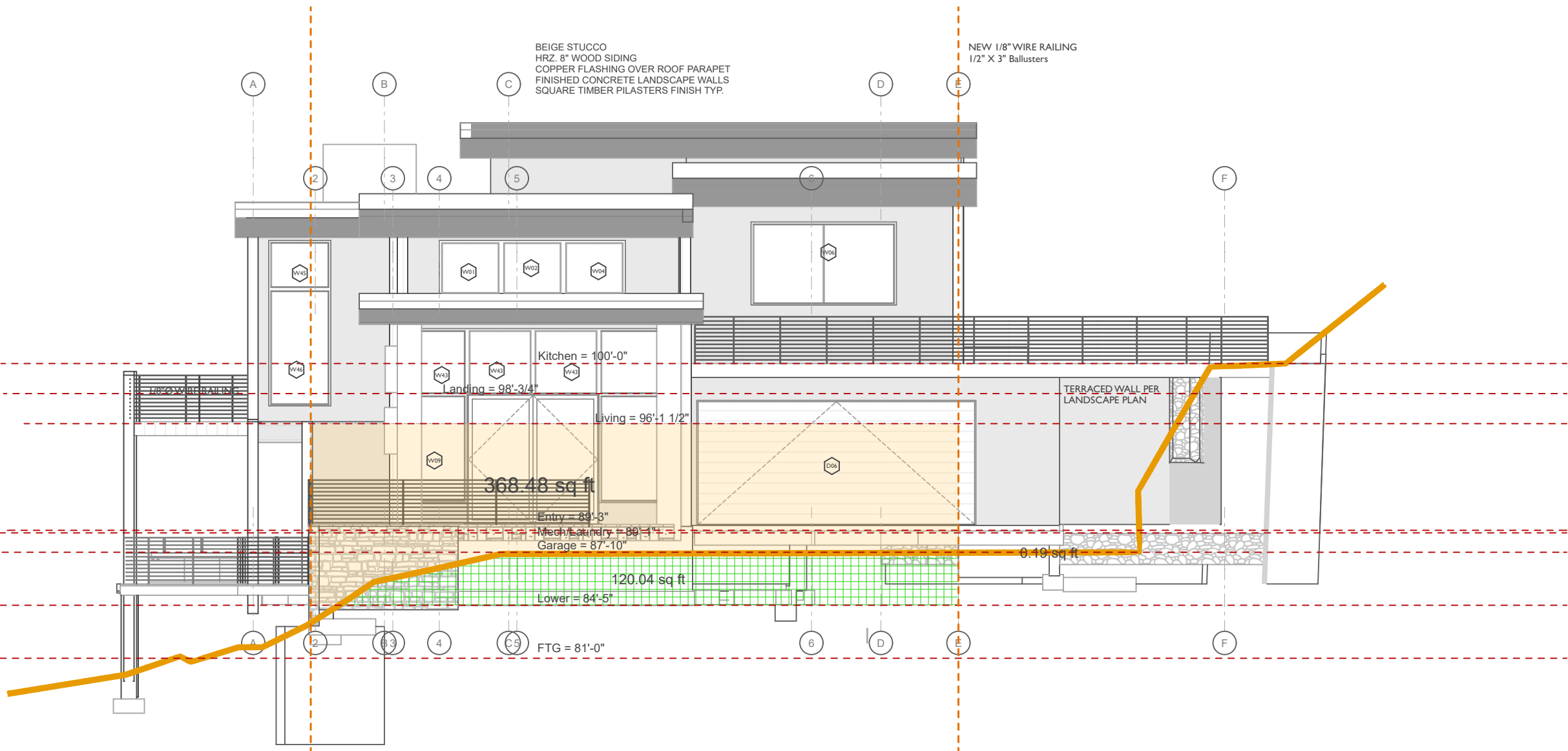
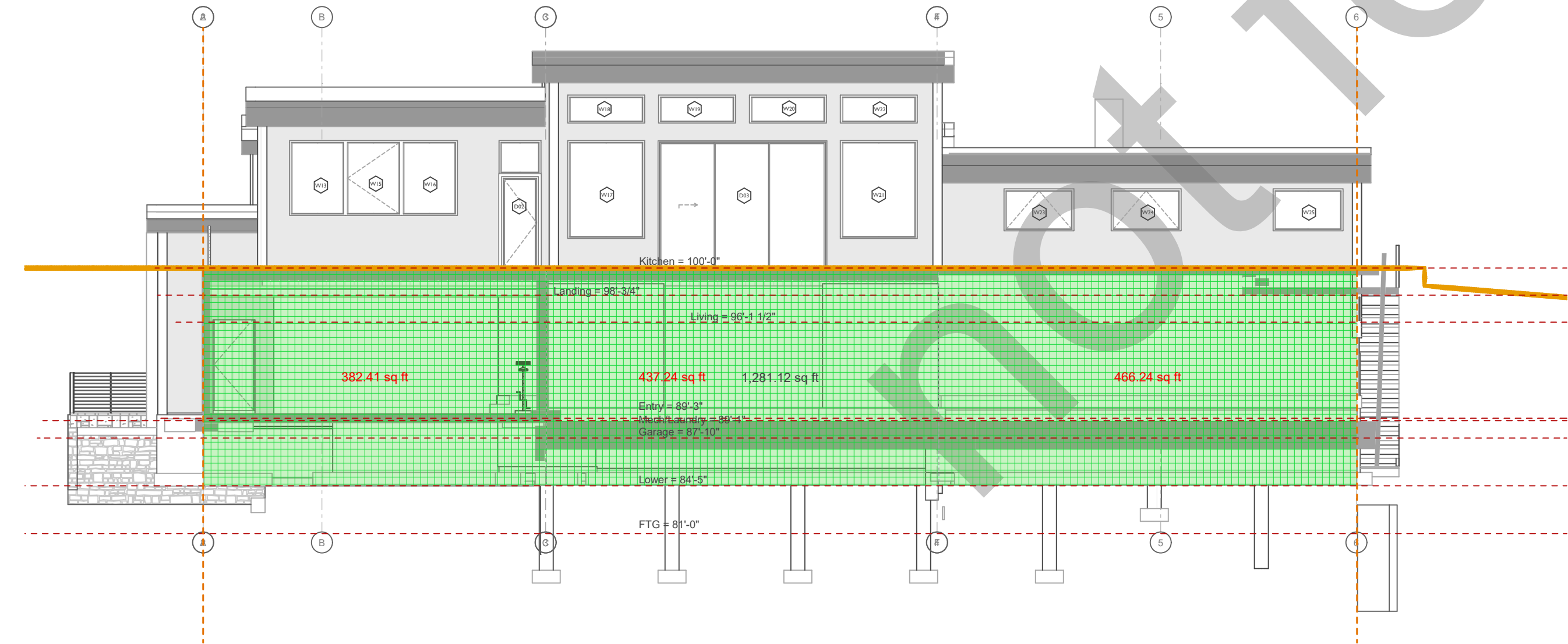
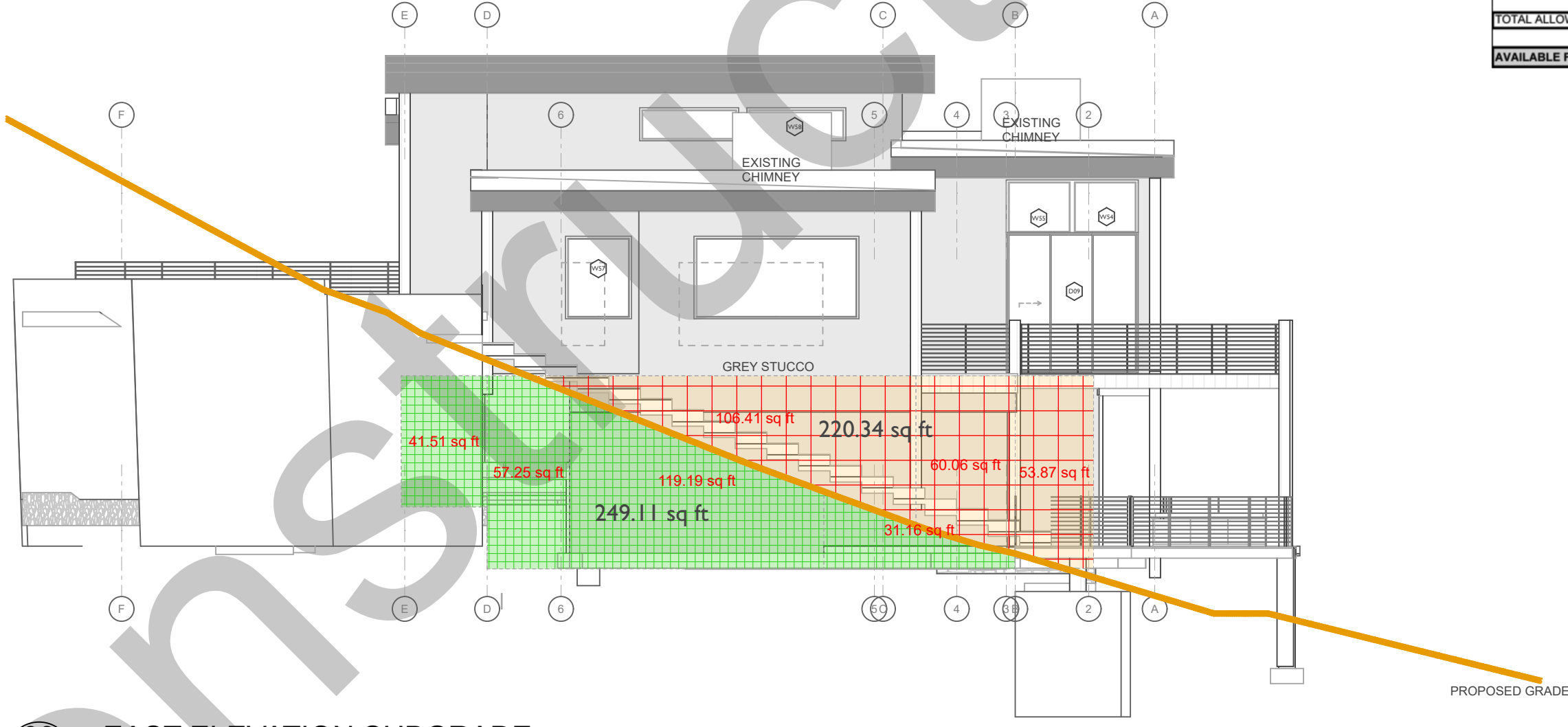
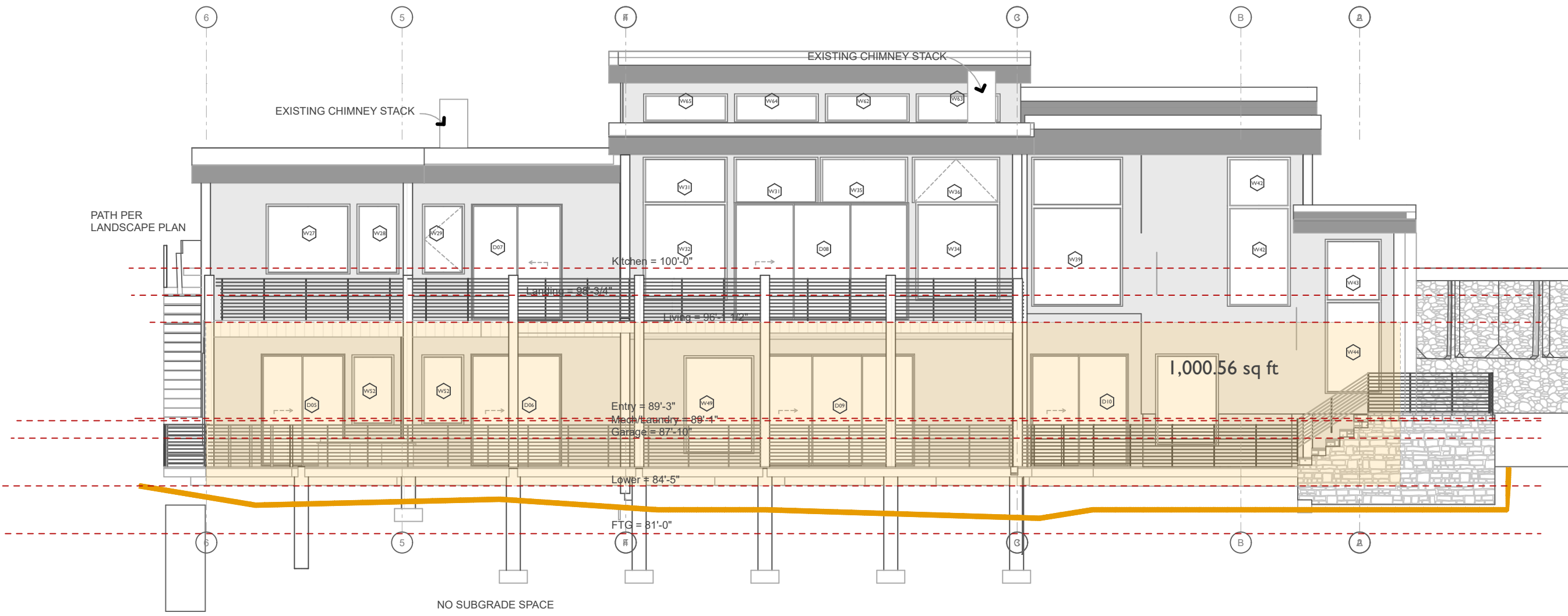
SHEET NUMBER

A5.003

Floor Area Calculations		
Town of Snowmass Village - Land Use Code		
Existing Lower Level Wall Calculations		
Lower Level Wall Label	Total Wall Area (Sq. Ft.)	Subgrade Wall Area (Sq. Ft.)
1	348	0
2	196	196
3	48	48
4	67	67
5	16	16
6	96	96
7	16	16
8	64	64
9	40	40
10	238	238
11	192	0
12	112	0
13	64	0
14	128	0
15	40	0
16	224	0
17	64	0
18	76	0
19	28	0
20	120	0
Overall Total Wall Areas (Sq. Ft.)	2,177	
Exposed Wall Area (Sq. Ft.)		781
% of Exposed Wall (Total)	35.88%	
Existing Lower Level Floor Area Calculations		
Lower Level Gross Floor Area (Sq. Ft.)	2,254	(allowable 4,500 x 15% = 675)
Lower Level Countable Floor Area (Sq. Ft.)	1,579	2,254 - 675 (675 exempt)
Total Existing Floor Area Calculations		
Lower Level Floor Area (Sq. Ft.)	1,579	
Upper Level Floor Area (Sq. Ft.)	2,425	
Deck/Porch Floor Area (Sq. Ft.)	0	1,092 exempt (all decks unenclosed)
Garage Countable Floor Area (Sq. Ft.)	0	up to 700 exempt (2 car garage)
Total Existing Floor Area (Sq. Ft.)	4,004	
TOTAL ALLOWABLE FLOOR AREA	4,500	
AVAILABLE FLOOR AREA (Sq. Ft.)	496	



SUBGRADE AREA CALCULATIONS			
SUBGRADE AREA CALCULATIONS	SUBGRADE	ABOVE GRADE	NOTES
NORTH ELEVATION	0	1000	BASEMENT DEFINITION: IF OVER 50% OF FLOOR TO CEILING HEIGHT OF SURROUNDING WALLS IS SUBGRADE, UP TO 1000SQFT OR .15X4500 (675) IS EXCLUDED FROM FAR
SOUTH ELEVATION	1281	0	
EAST ELEVATION	249	220	
WEST ELEVATION	120	368	
	1650	1588	
TOTAL WALL AREA	3238		
RATIO OF SUBGRADE TO ABOVE GRADE:		50.96%	



Floor Area Calculations		
Town of Snowmass Village - Land Use Code		
Existing Lower Level Wall Calculations		
Lower Level Wall Label	Total Wall Area (Sq. Ft.)	Subgrade Wall Area (Sq. Ft.)
1	348	0
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6	96	96
7	16	16
8	64	64
9	40	40
10	238	238
11	192	0
12	112	0
13	64	0
14	128	0
15	40	0
16	224	0
17	64	0
18	16	0
19	28	0
20	120	0
Overall Total Wall Areas (Sq. Ft.)	2,177	781
Exposed Wall Area (Sq. Ft.)		
% of Exposed Wall (Total)	35.88%	
Existing Lower Level Floor Area Calculations		
Lower Level Gross Floor Area (Sq. Ft.)	2,254	(allowable 4,500 x 19% = 875)
Lower Level Countable Floor Area (Sq. Ft.)	1,579	2,254 - 675 (675 exempt)
Total Existing Floor Area Calculations		
Lower Level Floor Area (Sq. Ft.)	1,579	
Upper Level Floor Area (Sq. Ft.)	2,425	
Deck/Porch Floor Area (Sq. Ft.)	0	1,092 exempt (all decks unenclosed)
Garage Countable Floor Area (Sq. Ft.)	0	up to 700 exempt (2 car garage)
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CONSTRUCTION

03 NORTH ELEVATION SUBGRADE
A5.007 SCALE: 1/8" = 1'-0"

03 WEST ELEVATION SUBGRADE
A5.007 SCALE: 1/8" = 1'-0"

SHEET TITLE

SUBGRADE CALC

SHEET NUMBER

A5.007

Brian McNellis

From: Mike Horvath
Sent: Monday, April 28, 2025 3:06 PM
To: Brian McNellis
Subject: Re: Brian McNellis shared the folder "BMc - Ridge Run 1 Lot 61 Bldg Env Variance" with you

Brian,

The Public Works Department is supportive of the soil nail wall as it will stabilize the slope below the portion of Faraway Road above. This will increase the longevity of the road cross section in this area. One thing to consider is the below deck space within the utility easement. This installation cannot prevent the use of this easement in the future. A treatment to allow the utility companies to utilize the allowable use by easement within this area will be required. Please reach out with any further questions. Thanks.

Mike Horvath, PE

Town Engineer
 Town of Snowmass Village, CO
 Direct: (970) 922-2324

 [@TownofSnowmass](https://twitter.com/TownofSnowmass)

 facebook.com/TownofSnowmass



From: Brian McNellis <bmcnellis@tosv.com>
Sent: Monday, April 28, 2025 1:41 PM
To: Mike Horvath <mhorvath@tosv.com>
Subject: Brian McNellis shared the folder "BMc - Ridge Run 1 Lot 61 Bldg Env Variance" with you



Brian McNellis invited you to view a folder

MEMORANDUM

TO: Town of Snowmass Village Planning Commission

FROM: Jim Wahlstrom, Senior Planner
Community Development Department

SUBJECT: Public Hearing and Resolution No. 4, Series of 2025: Lot 5, Ridge Run Unit IV, (211 Deer Ridge Lane) Variance Request: Retaining wall encroachment with height variance within the front 20-foot setback.

DATE: May 7, 2025 meeting

OVERVIEW: Katherine Adams with Fitzgerald Landscaping (“Applicant”) on behalf of Bram Hechtkopt (“Owner”), resubmitted for a Variance application on March 3, 2025 to replace an initial Administrative Modification application submitted on October 21, 2024. The application can be accessed from the Town’s website via this link:
<https://portal.laserfiche.com/Portal/Browse.aspx?id=225471&repo=r-b27e3aff>

The application states, “*the proposed Variance seeks approval for the construction of a retaining wall on the steep hillside,*” and that “*this retaining wall is necessary to stabilize ongoing erosion, prevent land loss, and enhance safety will also creating a larger, more usable yard space.*”

It was found during the completeness review on October 25, 2024 of the original Administrative Modification, the proposed new retaining wall in the front 20-foot setback area met the code’s one-half distance standard between the setback line and the property line. However, in reviewing the supplemental cross-sections in the drawing set, the wall height measurement from existing and proposed finished grades were approximately twice the height of that allowed by the Town’s municipal code. Reference the application drawings and the affected code sections further below.

BACKGROUND: The Ridge Run Unit IV Subdivision Plat and Setback Map were approved in 1978 and 1979, respectively, and zoned ‘PUD’ pursuant to Town Council Ordinance No. 29, Series of 1978. The ordinance states the subdivision follows the SF-30 zone district’s standards to determine the allowable Floor Area Ratio. Lot 5’s size of 27,050 square feet has a maximum F.A.R. of 0.15:1 but is capped to a maximum floor area of 3,900 square feet pursuant to the SF-30 standards in the zoning code. Records show that the residence on the property was granted a Town building permit in 1980 and the home was constructed in 1981 shortly after Town incorporation in 1977.

The Deer Ridge Lane right-of-way, which is 50 feet in width, wraps around Lot 5 on the north, west and east sides. The required setbacks are 20 feet along Deer Ridge Lane and 10 feet beside the east property line next to adjacent Lot 6.

A vicinity map, the 1978 Subdivision Plat and 1979 Setback Map, an Improvements Survey certified on August 1, 2024 showing existing conditions, and site plans and cross-sections showing the proposed retaining wall encroachment into the setback area and height variance are included as Exhibit “A” in the attached Planning Commission

resolution. The Applicant's responses to the Variance Review Standards are also detailed in the application materials available on the Town's website.

<https://portal.laserfiche.com/Portal/Browse.aspx?id=225471&repo=r-b27e3aff>

The attached draft Resolution following Town staff's findings and recommendations written in the affirmative, is included as Attachment "2."

REQUIRED ACTION: Planning Commission shall approve, approve with conditions or deny any or all of the Applicant's request for a Variance.

PUBLIC NOTICE REQUIREMENTS: The publication public hearing notice was printed in the Aspen Times on April 2, 2025 (Attachment "1"). The Applicant met the requirements for the mailing and posting of the Notice as required in Section 16A-5-60(b) of the Town of Snowmass Village Municipal Code ("Municipal Code"). The Applicant submitted executed affidavits for these mailings and postings. Town staff previously advised that the applicant obtain consent letters from the homeowners' association and the adjacent property owners. The application materials indicate the Snowmass Homeowners' Association authorized the proposal on October 17, 2024.

MUNICIPAL CODE STANDARDS:

Purpose of a Variance. In accordance with Section 16A-5-240(s) '*Purpose*,' "*a variance is a deviation from the standards of the Development code that is necessitated by special circumstances or conditions of the physical site (such as exceptional topography, or the narrowness, shallowness or shape of a particular piece of property), that would create practical difficulties for, or an unusual hardship upon the owners of the land if the provisions of this Code were to be strictly enforced.*"

The affected Town municipal code standards in this case, are stated below:

Sec. 16A-3-200. Zone district dimensional limitations.

(b) Construction in Required Setbacks and Outside Designated Building Envelopes.

- (1) Structures on or below finished grade. A structure (said structure being defined as no higher than thirty [30] inches above finished grade, such as a deck or parking pad) shall not be more than four (4) feet in height above existing grade and shall not project into the affected portion of a required setback more than one-half (½) the distance from the building envelope to the property line and no closer than ten (10) feet to the property line, whichever is more restrictive.***
- (2) Other minor structures. A driveway, entry walkway, associated retaining structures, and hand rails shall be allowed in required setbacks without limitation. In addition one (1) minor street address identification sign not exceeding six (6) feet high by four (4) feet wide by four (4) feet deep shall be allowed.***

Town staff comments: In addressing subsection (b)(1) above, the proposed retaining wall measures approximately 8 feet from existing / current grade and 5 feet from the proposed finished grade, thus triggering the Variance application. Regarding subsection (b)(2) above, the Town has consistently interpreted that the

term ‘*associated retaining structures*’ applies to a driveway and entry walkway, as it is meant to sometimes provide sufficient access to the property from the street through the front setback area. This occurs on the south side of Lot 5.

Pursuant to site visits and the enclosed Improvements Survey certified on August 1, 2024, there is a retaining wall shown placed within the public right-of-way, near the northeast portion of Lot 5, likely meant to protect the integrity of the public street from possible up-hill effects.

Sec. 16A-4-50. - Geologic hazard areas, steep slopes.

(d) Development Prohibited on Slopes Greater Than Thirty Percent (30%). No development shall be allowed on any slope greater than thirty percent (30%), except in the following circumstances:

(1) Ski area improvements. Construction of roads, driveways, ski trails and related ski area improvements including, but not necessarily limited to lift towers, but excluding restaurants and similar structures that are intended for human occupancy, may be allowed on slopes greater than thirty percent (30%).

(2) Lots subdivided prior to January 1, 1987. Development may be allowed on lots and within approved building envelopes containing areas of slopes greater than thirty percent (30%) if the lot was subdivided prior to January 1, 1987.

(3) Man-made slopes. Development may be permitted on slopes greater than thirty percent (30%) that are the result of minor man-made cutting or filling of an otherwise continuous natural slope.

(4) Other circumstances. The Town Council may authorize development on slopes greater than thirty percent (30%) in circumstances not listed above if at least three-quarters ($\frac{3}{4}$) of the members of the Town Council present and voting approve an ordinance finding that:

- a. The development is unable to avoid the steep slopes, and the reasons therefor; and*
- b. On the basis of competent engineering or geologic reports and data and testimony received, the design and/or construction techniques that will be incorporated within the development will satisfactorily mitigate the risk of potential harm to the public health, safety or welfare.*

Town staff comments: Ridge Run Unit IV Subdivision was approved in 1978 complying with the criterion in subsection (d)(2) above. Also, the regrading cuts made for Deer Ridge Lane, affecting the slope of the adjacent lots, could be considered ‘*man-made*’ meeting criterion (d)(2) above. With the ‘*man-made*’ cuts and regrading that took place in the early 1980s, Lot 5 slopes from the highest elevation grade of 8645 at the southeast corner to 8612 near where the new retaining wall is proposed within the setback area. This is a vertical distance of roughly 33 feet over a span of approximately 180 feet measured

across the lot and perpendicular to the northern property line. The resulting gradient across the lot due to the prior road cuts and regrading calculates to an average of 18-19 percent, complying with the code criteria (d) above.

Variance Review Standards. Pursuant to Municipal Code Section 16A-5-240(c), a Variance application shall comply with all of the Review Standards. In evaluating the application, staff finds that the application generally meets all of the standards as detailed below:

1. ***Special Circumstances Exist:*** *"There are special circumstances or conditions, such as exceptional topography, or the narrowness, shallowness or shape of the property, that are peculiar to the land or building for which the variance is sought, and do not apply generally to land or buildings in the neighborhood."*

Town Staff comments: The lot is not exceptionally steep and the gradient across the lot measures roughly 18-19% and under the Town code's 30% steep slope standards for new development. However, if the application's goal is to create a level yard for better usability and to control erosion, then the existing slope could be considered as "*exceptional topography*." It doesn't appear that the new wall, location, height thereof, or the planned leveling of the yard should negatively impact land or buildings in the neighborhood, except for the temporary effects from transporting fill to the site.

Staff finds that these criteria are generally met by the Applicant. On the other hand, the existing conditions have been in place for over 40 years, and the Applicant acquired the property knowing these conditions exist.

On a separate matter outside the proposed new wall, it was also found during the completeness review in 2024 there are other existing walls illustrated on the Improvements Survey certified on August 1, 2024. These existing walls are shown on the south side of the residence, within the east setback area, and off the property on adjacent Lot 6 to the east. It is possible that the existing walls within the 10-foot setback area might have been constructed earlier or as part of a prior approved permit set, which is unavailable, and/or reviewed under different development standards and should be rectified prior to any future redevelopment of the property. Draft findings and conditions were added to the resolution that these walls within the east 10-foot setback area are considered legal-nonconforming but should not be accepted as part of the Variance request. Also, the walls on the south side of the residence are considered exempt pursuant to the prior explanations of the current code standards.

However, there is also an existing deck structure and portions of retaining walls shown on both Lot 5 and off-site on adjacent Lot 6. Town staff earlier suggested a lot line adjustment between the two lots to rectify the off-site nonconformity, or at minimum a consent / authorization from the owner of Lot 6 prior to proceeding with the application review; although the applicant indicated the Lot 6 ownership was currently under a "*Qualified Personal Residence Trust*" and it might be difficult to obtain a consent or authorization. A draft condition was added to the resolution that the existing off-site structural deck and portions of retaining walls shown off-site on the Improvements Survey certified on August 1, 2024 should

not be approved by the Variance action on the new wall and instead are considered nonconforming and will be addressed to the satisfaction of the Town's Planning Director prior to issuance of any future building permit application proposing a redevelopment of the lot.

2. ***Not Result of Applicant:*** *"The special circumstances and conditions have not resulted from any act of the applicant."*

Town Staff comments: The existing special circumstances and conditions of the property were not the result of the Applicant. The existing special circumstances and conditions have been in place for over 40 years, and the Applicant acquired the property knowing that these conditions exist.

3. ***Strict Application Causes Practical Difficulties:*** *"The special circumstances and conditions are such that the strict application of the provisions of this Development Code would result in practical difficulties to and undue hardship upon the use of the land or building."*

Town Staff comments: The existing special circumstances and conditions might result in practical difficulties and undue hardship upon the use of the land if the goal is to achieve a level, useable yard area and to better control erosion.

4. ***Necessary to Relieve Practical Difficulties:*** *"The granting of the variance is necessary to relieve the applicant of the practical difficulties and undue hardship in the use of the land or building and is the minimum variance that could be granted to achieve said relief."*

Town Staff comments: The existing conditions has been present for decades. The Variance may be necessary to relieve the Applicant of practical difficulties and undue hardship to achieve the desired results and use of the property being sought.

5. ***Not Adversely Affect Neighborhood:*** *"The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the property in question, will not impair an adequate supply of light or air to adjacent property, will not increase the danger of fire or otherwise endanger public safety or the public interest, and will not substantially diminish or impair property values within the neighborhood."*

Town Staff comments: With the addition of the plant material around the proposed new boulder wall, it should assist in providing visual relief of the tall wall and may also improve the streetscape appearance around that corner of the lot. Deer Ridge Lane is also a cul-de-sac street with limited pass-by traffic that serves roughly 13 residential lots.

6. ***Harmony with Development Code:*** *"The granting of the variance will be in harmony with the purposes and intent of this Development Code, including the intent of the underlying zone district. No variance shall be approved that permits*

the construction or enlargement of any building or decks and related structures for any use prohibited in the underlying zone district."

Town Staff comments: The proposed Variance does not affect the intent of the Ridge Run Unit Four PUD zone district which is to provide areas consisting of a range of small to medium size residential lots following a few of the SF-30 standards. It is also the intent to allow a range of compatible uses to produce a "*viable residential neighborhood*." The new wall encroachment into the setback area with a taller wall than allowed by the zoning code would not result in a prohibited use(s) in the PUD zone district.

7. Consistent with Comprehensive Plan: *"The granting of the variance will be consistent with the intent of the Comprehensive Plan."*

Staff: There is no conflict with the Town's Comprehensive policies relative to the proposed Variance request.

STAFF RECOMMENDATION: Town Staff recommends the Planning Commission approve with conditions the attached Resolution as drafted and as proposed in referenced Exhibit "A" application drawings.

Note: If the site was not visited by Planning Commission members on an individual basis prior to the hearing, the Planning Commission members may wish to schedule a group or individual site visits prior to acting upon a resolution. Otherwise, a photograph of the affected lot frontage area is included to assist with the evaluation (Attachment "2" in Exhibit "A" of the resolution). On-site visits should not include ex-parte communications with the owner or the public. Such communications should instead occur during the public hearing.

Attachments:

1. Public Hearing publication notice.
2. Draft Resolution No. 4, Series of 2025, with its Exhibit "A" including a vicinity/location map, 1978 and 1979 Subdivision Plat and Setback Map excerpts, photograph of the affected existing Lot 5 area frontage as viewed from Deer Ridge Lane, the Variance application form, the Improvements Survey of Lot 5 certified August 1, 2024 showing the existing / current conditions, and the proposed site plan and cross-sections showing the setback encroachment and height variance for the new retaining wall.
3. Referral agency comments.
4. Comments from nearby neighbors.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION
PUBLIC HEARING NOTICE**

PUBLIC NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BEFORE THE SNOWMASS VILLAGE PLANNING COMMISSION. THE PUBLIC IS INVITED TO ATTEND AND COMMENT.

DATE: Wednesday, May 7, 2025

TIME: During a meeting which begins at 4:00 P.M. or at such time thereafter that the item appears on the agenda of the Planning Commission.

WHERE: Town Council Chambers
Town Hall, 1st Floor
0130 Kearns Road
Snowmass Village, CO

WHY: To receive public comment on an application by Katherine Adams of Fitzgerald Landscaping ('Applicant') on behalf of Bram Hechtkopf of Sky High Snowmass LLC ('Owners') proposing a Variance to permit a retaining wall within the one-half distance line between the 20-foot setback line and the public right-of-way / property line with a retaining wall height approximately double that allowed in the adopted municipal code which standards include a maximum 4-feet tall measured from existing grade (proposed at approximately 8 feet tall) and a maximum of 30-inches tall measured from the proposed finished grade (proposed at approximately 5 feet tall) on Lot 5, Ridge Run Unit Four (211 Deer Ridge Lane).

CODE: The application will be processed pursuant to Section 16A-5-240, Variences, of the Town of Snowmass Village Land Use and Development Code.

INFO: Further information regarding the proposal is available for inspection at the Town of Snowmass Village Community Development Department or by telephone at (970) 923-5524 during normal business hours; or, the application materials may be accessed via this Town website link: <https://portal.laserfiche.com/Portal/Browse.aspx?id=225471&repo=r-b27e3aff>

Written comments are encouraged and will be accepted until the close of the public hearing; for inclusion of written comments in the staff report, submissions must be made one week prior to the public hearing to the following address:

Snowmass Village Community Development Department
P.O. Box 5010
Snowmass Village, CO 81615
Attention: Jim Wahlstrom, Senior Planner
Email: jimwahlstrom@tosv.com

Additional public hearings may be held before the Planning Commission at later dates, for which only this published notice may occur.

Town Clerk Telephone: 923-3777
Internet access to Council email: <http://www.tosv.com>
Citizen Feedback Hotline: 922-6727
clerk@tosv.com

Printed in the Aspen Times on April 2, 2025.

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**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION NO. 4
SERIES OF 2025**

**A RESOLUTION REGARDING A RETAINING WALL ENCROACHMENT WITH A
HEIGHT VARIANCE INTO THE FRONT 20-FOOT SETBACK AREA ON LOT 5,
RIDGE RUN UNIT IV (211 DEER RIDGE LANE) ZONED 'PUD.'**

WHEREAS, Katherine Adams with Fitzgerald Landscaping ("Applicant") on behalf of Bram Hechtkopt ("Owner"), resubmitted for a Variance application on March 3, 2025 to replace an initial Administrative Modification application submitted on October 21, 2024 seeking acceptance to construct a retaining wall encroachment with a height variance within the front 20-foot setback area on Lot 5, Ridge Run Unit IV (211 Deer Ridge Lane), as described and illustrated on attachment Exhibit "A" incorporated herein; and

WHEREAS, a public hearing notice was published in the Aspen Times on April 2, 2025 and the Applicant submitted signed affidavits for the mailing and posting of the public hearing notice; and

WHEREAS, a public hearing was scheduled to be held before the Planning Commission at a regular meeting on May 7, 2025 to review the application, receive public comments, consider the recommendations of Town Staff, and to consider and act upon this resolution; and

WHEREAS, said Variance request was processed, evaluated and considered pursuant to *Section 16A-5-240, 'Variances,'* and *Section 16A-5-70, 'Action by decision-making body,'* of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Snowmass Village, Colorado:

Section One: Findings.

1. The Applicant has submitted sufficient information pursuant to *Section 16A-5-40(b), 'Minimum Contents,'* and *Section 16A-5-240(b)(2)* of the Municipal Code, for Town Staff and the Planning Commission to adequately review the proposed Variance.
2. All public notification requirements, as specified in *Section 16A-5-60, 'Notice of public hearings,'* of the Municipal Code, have been satisfied.
3. The Application is compliant with all the applicable review standards specified within *Section 16A-5-240(c), 'Review Standards'* of the Municipal Code. The specific findings are:
 - a. (1) Special circumstances do exist;
 - b. (2) The special circumstances were not created by the applicant, but the applicant purchased the property knowing these special circumstances exist;

Planning Commission Resolution No. 4, 2025
Lot 5, RRIV, Retaining Wall encroachment with height Variance in 20-foot Setback
Page 2 of 3

- c. (3) Strict application does cause practical difficulties;
- d. (4) Is necessary to relieve practical difficulties;
- e. (5) Would not adversely affect the neighborhood;
- f. (6) Is in harmony with the Development Code; and
- g. (7) Is consistent with the Comprehensive Plan.

- 4. On a separate matter outside the proposed new wall, it was also found there are other existing walls and a deck structure illustrated on the Improvements Survey certified on August 1, 2024. These exiting walls are shown on the south side of the residence, within the east setback area, and off the property on adjacent Lot 6. It is possible that the existing walls within the 10-foot setback area might have been constructed earlier as part of a prior approved permit set, which is unavailable, and/or reviewed under different development standards, and thus considered legal nonconforming and should be rectified with any proposed future redevelopment of the property.
- 5. The existing retaining walls on the south side of the residence along the entry walkway and driveway area are exempt pursuant to the Town's current code standards.

Section Two: Action.

The Planning Commission hereby approves the Variance for the retaining wall encroachment with a height variance within the front 20-foot setback on Lot 5, Ridge Run Unit IV as further illustrated and described on the attachments incorporated herein and pursuant to the findings set forth in Section One: 'Findings' above and subject to the conditions in Section Three: 'Conditions' below.

Section Three. Conditions.

- 1. The existing retaining walls within the east 10-foot setback area are not approved as part of this Variance resolution action regarding the proposed new wall within the front 20-foot setback area and instead are considered legal nonconforming and will be addressed to the satisfaction of the Town's Planning Director prior to issuance of any future building permits involving proposed redevelopment of the property.
- 2. The existing structural deck and portions of retaining walls shown off-site onto adjacent Lot 6 per the Improvements Survey certified on August 1, 2024 is not approved by this Variance resolution action and instead is nonconforming, and will be addressed to the satisfaction of the Town's Planning Director prior to issuance of any future building permit involving proposed redevelopment of the property.

Planning Commission Resolution No. 4, 2025

Lot 5, RRIV, Retaining Wall encroachment with height Variance in 20-foot Setback

Page 3 of 3

3. Upon execution, this Resolution shall be recorded at the Pitkin County Clerk and Recorder's Office at the Applicant's expense to allow this resolution action to run with the land.

4. A building permit application will be required to review the proposed boulder retaining wall prior to issuance of a permit and commencement of construction.

Section Four. Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Resolution which can be given effect without the invalid provision or application, and, to this end, the provisions of this Resolution are severable.

INTRODUCED, READ AND ADOPTED on the motion of Planning Commission member _____ and the second of Planning Commission member _____ by a vote of ___ in favor and ___ against, on this 7th day of May 2025.

TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION

Matt Dube, Chairman

ATTEST:

Ashleigh Huff, Planning Commission Secretary

Incorporated Attachments:

Exhibit "A" – Vicinity/location map, 1978 and 1979 Subdivision Plat and Setback Map excerpts, the Variance application form, the Improvements Survey certified August 1, 2024 showing the existing conditions, and the proposed site plan and cross-sections showing the setback encroachment and height variance for the new retaining wall.

VICINITY MAP OF 211 DEER RIDGE LANE, LOT 5, RIDGE RUN UNIT IV



EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
PAGE 2 OF 15

1978 RIDGE RUN UNIT FOUR SUBDIVISION PLAT EXCERPT

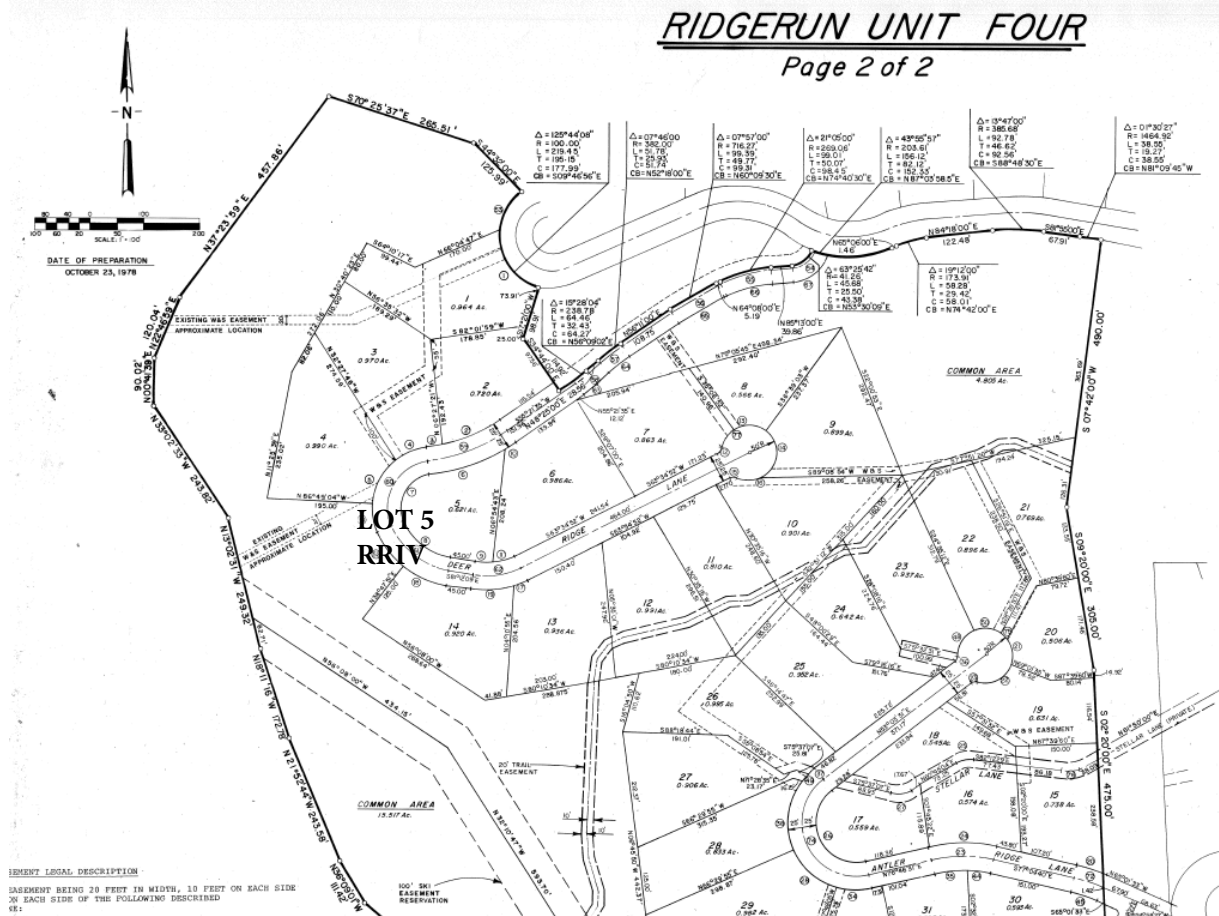


EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
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1979 RIDGE RUN UNIT FOUR SETBACK MAP EXCERPT



EXHIBIT "A"
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PHOTOGRAPH OF EXISTING SITE AREA FRONTAGE AT 211 DEER RIDGE LANE, LOT 5, RRIV



TOWN OF SNOWMASS VILLAGE

**VARIANCE
PLANNING COMMISSION
APPLICATION**

A variance is a deviation from the standards of the Snowmass Village Municipal Code (the "Code") that is necessitated by special circumstances or conditions (such as exceptional topography, or the narrowness, shallowness or shape of a particular piece of property), that would create practical difficulties for, or an unusual hardship upon, the owners of the land if the provision of the Code were to be strictly enforced. Any variance shall be the minimum adjustment necessary for the reasonable use of the land or structure.

GENERAL DATA REQUIREMENTS

Date: _____

Name of Owner: _____

Address: _____ Phone: _____ Email: bram.hechtkopf@gmail.com

Name of Applicant (if different than owner): _____

Address: PO Box 4233 Aspen Colorado 81611 Phone: 9703199435 Email: kat@fitzgeradlandscaping

Physical Address of Property: _____ .com

Legal Description: _____

EXISTING CONDITION INFORMATION

Present Zoning: _____

Lot Area (sq.ft.): _____ Building Setbacks (ft.): _____

Allowable Floor Area Ratio per Zoning or PUD Plan: _____

Square Footage of All Areas Calculated as Floor Area by Code: _____

Existing Building Height (if applicable): _____

of Parking Spaces and Bedrooms (if applicable): _____

PROPOSAL DATA

(Only fill in those that apply)

Proposed Building Setbacks: _____

Proposed Floor Area: _____

Proposed Building Height: _____

Proposed # of Parking Spaces: _____

Other: _____

EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
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PROVIDE A WRITTEN DESCRIPTION OF YOUR PROPOSED VARIANCE

The design, which has been approved by the Snowmass DRC, will integrate natural materials to maintain aesthetic harmony with the surrounding landscape.

PROVIDE THE FOLLOWING ADDITIONAL INFORMATION

1. **Owner's Permission.** If the applicant is not the owner of the land, or is a contract purchaser of the land, the applicant shall submit a letter signed by the owner consenting to the submission of the application. If the applicant is not the sole owner of the land, the applicant shall submit a letter signed by the other owners, or an association representing the owners, consenting to or joining in the development application.
2. **Name, Address, Telephone Number and Power of Attorney.** The applicant's name, address and telephone number. If the applicant is to be represented by an agent, a letter signed by the applicant granting power of attorney to the agent shall be submitted, authorizing the agent to represent the applicant and stating the representative's name, address and phone number.
3. **Disclosure of Ownership.** A certificate from a title insurance company or attorney licensed in the State which shall set forth the names of all owners of property included in the application and shall include a list of all mortgages, judgments, liens, contracts, easements or agreements of record that affect the property. At the Town's option, the holders or owners of such mortgages, judgments, liens, contracts, easements or agreements of record may be required to consent to the application before it is acted upon by the Town.
4. **Vicinity Map.** An eight and one-half inch by eleven inch (8 1/2" x 11") vicinity map locating the subject parcel within the Town of Snowmass Village.
5. **Other Maps.** All other maps required for the application shall be prepared at a scale of one inch equals one hundred feet (1" = 100') or larger, on sheets no larger than thirty inches by forty-two inches (30" x 42"), with an unencumbered margin of one and one-half inches (1.5") on the left hand side of the sheet and one-half inch (0.5") around the other three (3) sides of the sheet. Sheets of twenty-four by thirty-six inches (24" x 36") are preferred. If it is necessary to place information on more than one (1) sheet, an index shall be included on the first sheet. Report-size versions of all maps, reduced to a sheet size of no greater than eleven inches by seventeen inches (11" x 17"), shall also be submitted.
6. **Site Plan.** A site plan of the subject property, showing existing improvements and proposed development features that are relevant to the review of the proposed variance application.
7. **Base Fee.** The application shall be accompanied by the applicable base fee from the Building and Planning Department's fee schedule. The applicant shall reimburse the Town for such amounts in excess of the base fee as determined by the Planning Director. The reimbursement to the Town by the applicant shall be due and payable within fifteen (15) days of the date of billing.
8. **Other Information.** The applicant shall submit such other written or graphic information as is necessary to describe and evaluate the proposed variance, such as proposed building elevations.

NO APPLICATION WILL BE PROCESSED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

REVIEW STANDARDS

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An application for a variance shall comply with all of the following standards:

1. **Special Circumstances Exist.** There are special circumstances or conditions, such as exceptional topography, or the narrowness, shallowness, or shape of the property, that are peculiar to the land or building for which the variance is sought, and do not apply generally to land or buildings in the neighborhood.
2. **Not Result of Applicant.** The special circumstances and conditions have not resulted from any act of the applicant.
3. **Strict Application Causes Practical Difficulties.** The special circumstances and conditions are such that the strict application of the provisions of this Development Code would result in practical difficulties to an undue hardship upon the use of the land or building.
4. **Necessary to Relieve Practical Difficulties.** The granting of the variance is necessary to relieve the applicant of the practical difficulties and undue hardship in the use of the land or building and is the minimum variance that could be granted to achieve said relief.
5. **Not Adversely Affect Neighborhood.** The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the property in question, will not impair an adequate supply of light or air to adjacent property, will not increase the danger of fire or otherwise endanger public safety or the public interest, and will not substantially diminish or impair property values within the neighborhood.
6. **Harmony with Development Code.** The granting of the variance will be in harmony with the purposes and intent of this Development Code, including the intent of the underlying zone district. No variance shall be approved that permits the construction or enlargement of any building or decks and related structures for any use prohibited in the underlying zone district.
7. **Consistent with Comprehensive Plan.** The granting of the variance will be consistent with the intent of the Comprehensive Plan.

HOW DOES YOUR APPLICATION COMPLY WITH THE REVIEW STANDARDS?

(For your information: the Planning Director, Planning Commission or Town Council shall not grant a variance from the provisions of the Code unless, based on the evidence presented, the proposal is found to be consistent with all of the review standards of the Snowmass Village Municipal Code.)

1. Special Circumstances:

2. Result of Applicant:

3. Practical Difficulties:

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4. Relief from Difficulties:

5. Impact on Neighborhood:

and maintain the stability of shared hillside areas. The proposed design, with approval from the DRC, will blend with the natural surroundings and have no adverse effects on property values.

6. Harmony with Code:

7. Consistent with Comprehensive Plan:

RULES OF PROCEDURE

The following procedures shall apply to an application for a variance (see attached figure: Variance Application Procedures).

1. **Pre-Application Conference.** Attendance at a pre-application conference is optional prior to submission of a variance application.
2. **Submission of Application.** The applicant shall submit an application to the Planning Department
3. **Staff Review .** Staff review of the application.
4. **Action By Planning Commission.** A complete copy of the application shall be forwarded to the Planning Commission, together with a copy of the staff review. **Public notice** that the Planning Commission will consider the application shall be given by publication, posting and mailing notice. The Planning Commission shall hold a public hearing to consider the application, which shall be conducted pursuant to Section 16A-5-60(b) of the Code. The Planning Commission shall consider all relevant materials and testimony, shall consider the variance standards of the Code, and shall approve, approve with conditions, or deny the application.
5. **Appeal.** A decision by the Planning Commission on a variance application may be appealed, pursuant to Section 16A-5-240(b)(5) and 16A-5-80, Appeals, of the Code. The appeal shall be

EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
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referred to the Town Council, which shall consider the matter pursuant to Section 16A-5-80(d) of the Code.

MANNER AND TIMING OF PUBLIC NOTICE

Public notice is required and shall be given by publication of notice in the newspaper, mailing of notice to property owners surrounding the subject property, and posting of notice on the property, as specified below.

1. **Publication of Notice.** Publication of notice shall be accomplished by the staff, who shall place a legal notice in the newspaper of general circulation in the Town 30 days prior to the public hearing date. The legal notice shall state the date, time, location and purpose of the public hearing, and the name of the decision-making body conducting the hearing and shall be published once.
2. **Mailing of Notice.** Mailing of notice shall be accomplished by the applicant. The notice that the applicant shall mail shall be prepared by the Planning Department and provided to the applicant. Notice shall be sent by first class mail to all property owners located within three hundred feet (300') of the subject property 30 days prior to the public hearing date.
 - a. **Source of List.** The applicant shall compile the list of property owners to who notice will be mailed by using the most current list of property owners on file with the Pitkin County Tax Assessor.
 - b. **Contents of Mailed Notice.** The notice that is mailed shall contain the following information:
 - i. **Description of Proposal.** A description of the proposed application, including a reference to the Code section under which the application will be processed and the name of the decision-making body that will conduct the hearing. An exhibit depicting the proposed development shall also be included.
 - ii. **Description of Property.** A description of the subject property.
 - iii. **Vicinity Map.** A vicinity map showing the location of the property within the Town.
 - iv. **Date, Time and Place.** The date, time and place of the public hearing for which notice is being given.
 - v. **Additional Hearings.** The written notice shall also state that additional public hearings may be held before the Planning Commission and/or Town Council at later dates, for which only published notice shall be required, and shall indicate that additional information regarding the proposal is available for inspection at the Town offices during normal business hours.
 - vi. **Contact Person.** The address and telephone number of the Building and Planning Department, and the name of the person to whom written comments should be directed prior to the public hearing.
3. **Posting of Notice.** Posting of notice shall be accomplished by the applicant 15 days prior to the public hearing date. The applicant shall obtain a copy of the sign from the staff or shall use a form provided by the Planning Department. The applicant shall enter onto the sign the date, time, location and purpose of the public hearing, and the name of the decision-making body conducting the hearing. The applicant shall post the sign in a conspicuous location on the subject property. The materials to which the notice form is affixed shall be sturdy and waterproof or shall have waterproof covering. The applicant shall maintain the sign in a legible manner until the closure of the public hearing and shall remove it on the day following the closure of the public hearing.

EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
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4. **Validity of Notice.** If the applicant follows the procedures indicated above in good faith, the failure of any particular property owner to receive notice shall not affect the validity of the proceedings which require such notice.
 5. **Proof of Notice.** At or before the actual public hearing, the applicant shall provide the Town with an affidavit certifying that notice was posted. A copy of the list of property owners to whom notice was mailed shall be attached to the affidavit. A photograph of the posted sign shall also be attached to the affidavit.
-

ACTION BY PLANNING COMMISSION

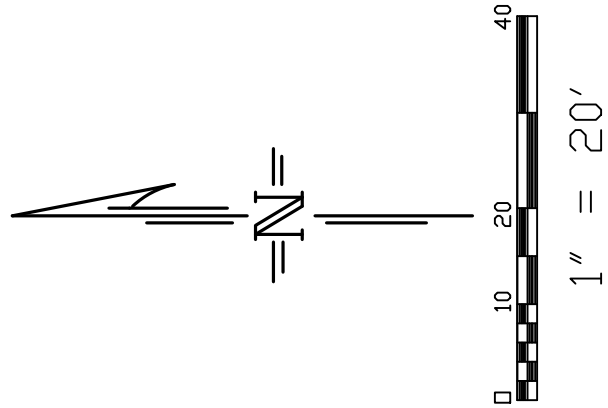
After hearing the evidence and considering the comments of all persons interested in the matter, the Planning Commission shall make its decision and findings and have them entered in its minutes.

1. **Findings.** In its findings, the Commission shall report the facts, whether the application complies with the applicable review standards, and whether the application is approved, approved with conditions, recommended for approval by another body, tabled pending receipt of additional information, or denied.
2. **Copy to Applicant.** A copy of the Commission's decision shall be provided to the applicant within a reasonable period of time after the decision has been made.

P:\forms\PC Variances\Application

TOPOGRAPHIC SURVEY
LOT 5
RIDGERUN UNIT FOUR
TOWN OF SNOWMASS VILLAGE
PITKIN COUNTY, COLORADO

EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO.4, SERIES OF 2025
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NOTES

- 1) LEGAL DESCRIPTION:
LOT 5, RIDGERUN UNIT FOUR, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 19, 1978 IN PLAT BOOK 7 AT PAGE 41 AS RECEPTION NO. 210089 IN THE COUNTY OF PITKIN, STATE OF COLORADO.
- 2) BASIS OF BEARINGS:
BEARING OF 34°54'33"W BETWEEN A FOUND #5 REBAR NO CAP AT THE N.E. PROPERTY CORNER AND A FOUND #5 REBAR NO CAP AT THE S.E. PROPERTY CORNER.
- 3) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR. TITLE INFORMATION RELIED UPON FOR THE PREPARATION OF THIS SURVEY FURNISHED BY TITLE COMPANY OF THE ROCKIES, COMMITMENT NO. 0705305-C, DATED 09/12/2017.
- 4) UNIT OF MEASUREMENT FOR THIS SURVEY IS THE U.S. SURVEY FOOT.
- 5) POSTED ADDRESS IS 211 DEER RIDGE LANE.
- 6) ELEVATIONS BASED UPON GPS OBSERVATION (NAVD 88 DATUM). BENCHMARK= 8609.82' AT N.E. PROPERTY CORNER. CONTOUR INTERVAL IS 2(TWO) FEET.

LEGEND

- INDICATES FOUND MONUMENT AS DESCRIBED.
- 1 1/4" ORANGE PLASTIC CAP ON #5 REBAR
- Ⓜ MANHOLE
- Ⓣ TELEPHONE RISER
- Ⓢ CABLE RISER
- ⓔⓂ ELECTRIC METER
- ⓖⓂ GAS METER
- ⓕⓕ FINISHED FLOOR
- ⓖⓈ GARAGE SLAB
- 🌳 DECIDUOUS TREE (TRUNK DIAMETER 6+ INCHES)
- 🌲 EVERGREEN TREE
- Ⓜ FIRE HYDRANT
- Ⓦ WATER VALVE
- Ⓜ MECHANICAL PAD
- Ⓡⓞ ROOF OVERHANG

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	116.20'	116.94'	112.07'	N 52°22'20" W	57°35'38"
C2	63.62'	14.16'	9.84'	N 30°22'12" E	10°48'43"
C3	133.63'	148.28'	147.11'	N 71°47'12" E	125°00'01"

SURVEYOR'S CERTIFICATE

I, MICHAEL P. LAFFERTY, HEREBY CERTIFY THAT THIS MAP ACCURATELY DEPICTS TOPOGRAPHIC SURVEY PERFORMED UNDER MY SUPERVISION ON 07/2024 OF THE ABOVE DESCRIBED PARCELS OF LAND, THE LOCATION AND DIMENSIONS OF ALL IMPROVEMENTS, ENCROACHMENTS, EASEMENTS, AND EGRESS THEREON TO ME AND ENCROACHMENTS BY OR ON THESE PREMISES ARE ACCURATELY SHOWN.

MICHAEL P. LAFFERTY PLS. # 37972

DATE:

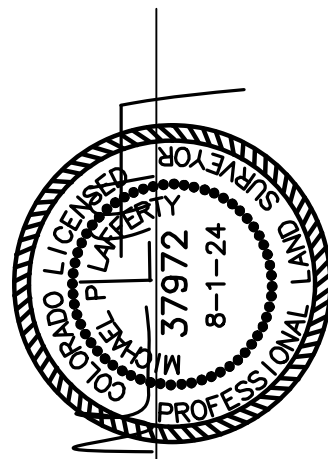
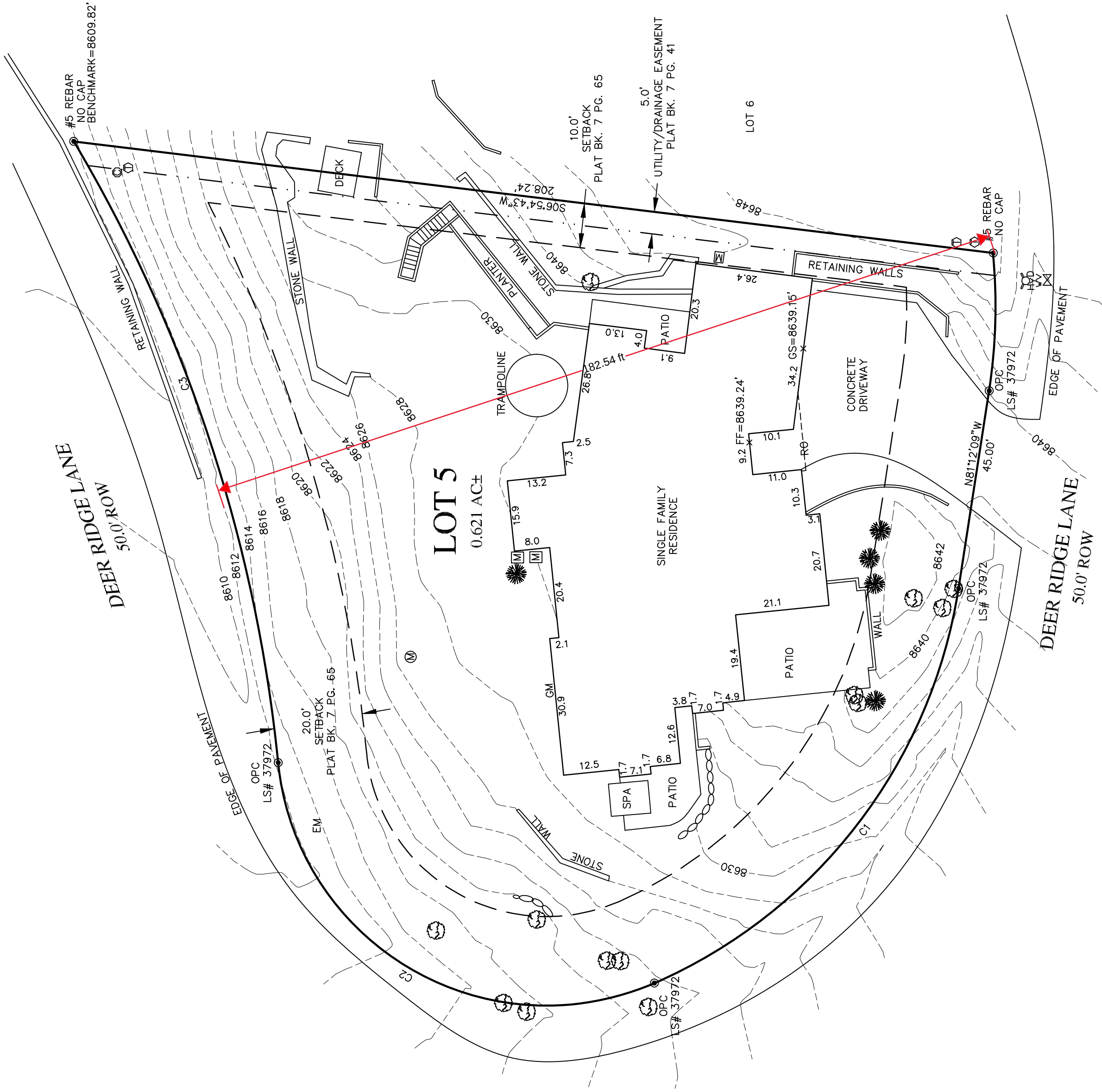


EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
PAGE 11 OF 15





**ASPEN
SURVEY**

WWW.ASPENSURVEY.COM
870.882.2818 contact@aspensurvey.net

DATE SUBMITTED: 07/2024
DATE REVISED:
FILE NO: 240779
CLIENT: HECHT/KOPF

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years from the date you first observe such defect. This notice is given to you for your information and is not intended to constitute an offer of insurance or any other financial product. The survey is not to be construed as more than ten years from the date of the certification shown herein.

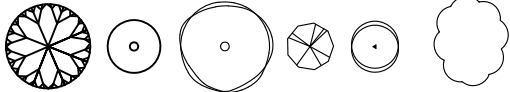
EXHIBIT "A"

PLANNING COMMISSION

RESOLUTION NO. 4, SERIES OF 2025

PAGE 14 OF 15

PLANT SCHEDULE



8' FAT ALBERT SPRUCE

EXISTING PLANTINGS TO BE REUSED

2" QUAKING ASPEN

FLAME AMUR MAPLE (CLUMP)

SNOWBERRY SERVICEBERRY

NATIVE GRASS

PLANTING TO CONSIST OF EXISTING PLANTING RELOCATED TO EDGE OF NEW RETAINING WALL. ADDITIONAL PLANTING WILL BE OF THE SAME SPECIES.

SPECIES CONSIST OF: WITCHITA BLUE JUNIPER
MUGO PINE
COLORADO BLUE SPRUCE
MOONGLOW JUNIPER

DEER RIDGE LANE

50.0' ROW

EDGE OF PAVEMENT

WALL ELEVATION -
SEE E/SI

ALL DISTURBED
AREAS WILL BE
RESEEDDED WITH
PITKIN COUNTY
APPROVED NON
IRRIGATED SEEDED
MIX

EXHIBIT "A"

PLANNING COMMISSION

RESOLUTION NO. 4, SERIES OF 2025

= PAGE 14 OF 15

LAWN

LOT 5

0.621 AC±

TRAMPOLINE

STONE WALL

PLANTER

HECHTKOPF RESIDENCE

211 DEER RIDGE LANE

SNOWMASS VILLAGE, COLORADO 81611

LANDSCAPE PLAN



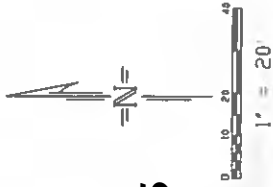
PO Box 423
Aspen, Colorado 81612
Tel: 970.920.3005
Fax: 970.279.5252
www.fitzgeraldlandscaping.com

TOPOGRAPHIC SURVEY
LOT 5
RIDGERUN UNIT FOUR
TOWN OF SNOWMASS VILLAGE
PITKIN COUNTY, COLORADO

EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
PAGE 15 OF 15

NOTE:
SNOWMASS HOMEOWNERS'
ASSOCIATION DESIGN COMMITTEE
STAMPED APPROVAL DATED
10-17-2024 -
PROVIDED FOR REFERENCE ONLY

EXHIBIT "A"
PLANNING COMMISSION
RESOLUTION NO. 4, SERIES OF 2025
PAGE 15 OF 15

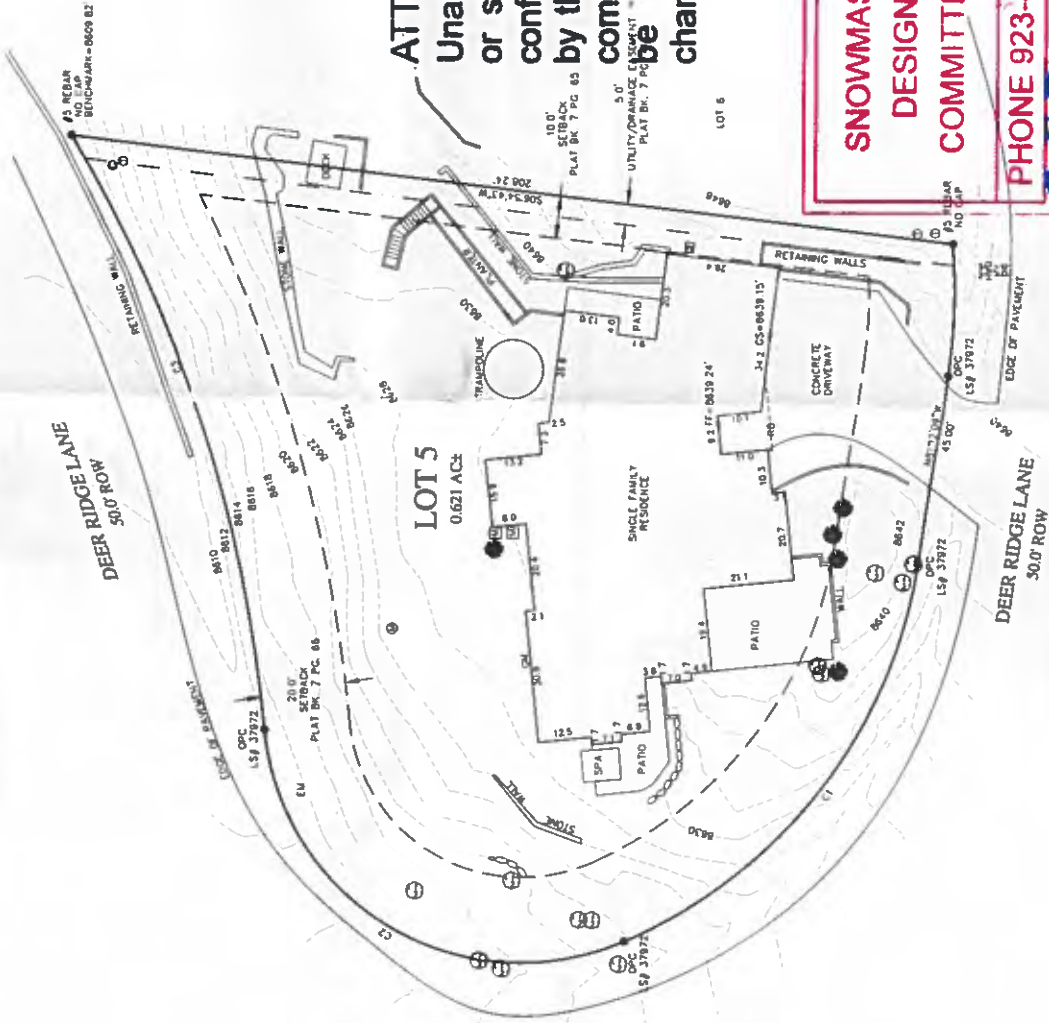


NOTES

- LEGAL DESCRIPTION
LOT 5, RIDGERUN UNIT FOUR, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 19, 1978 IN PLAT BOOK 7 AT PAGE 41 AS RECEPTION NO. 210088 IN THE COUNTY OF PITKIN, STATE OF COLORADO
- BASIS OF BEARING
A BEARING OF S08°34'33"W BETWEEN A FOUND #5 REBAR NO. CAP AT THE NE PROPERTY CORNER AND A FOUND #5 REBAR NO. CAP AT THE SE PROPERTY CORNER
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR. TITLE INFORMATION RELIED UPON FOR THE PREPARATION OF THIS SURVEY FURNISHED BY TITLE COMPANY OF THE ROCKIES, COMMITMENT NO. 0703505-C, DATED 06/12/2017
- UNIT OF MEASUREMENT FOR THIS SURVEY IS THE U.S. SURVEY FOOT
- POSTED ADDRESS IS 211 DEER RIDGE LANE
- ELEVATIONS BASED UPON GPS OBSERVATION (NAVD 83 DATUM). BENCHMARK= 8609.82 AT NE PROPERTY CORNER. CONTOUR INTERVAL IS 2(TWO) FEET

LEGEND

- INDICATES FOUND MONUMENT AS DESCRIBED
- OPC 1 1/2" ORANGE PLASTIC CAP ON #5 REBAR
- MANHOLE
- TELEPHONE RISER
- CABLE RISER
- ELECTRIC METER
- GAS METER
- FINISHED FLOOR
- DECIDUOUS TREE (TRUNK DIAMETER 6+ INCHES)
- EVERGREEN TREE
- FIRE HYDRANT
- WATER VALVE
- MECHANICAL PAD
- ROOF OVERHANG
- CARPACE SLAB



ATTENTION

Unauthorized physical changes to building or site will be required to be restored to conform exactly to plans officially approved by the design committee. No certificate of compliance will be granted nor will any fees be refunded until such unauthorized changes are corrected in full.

SNOWMASS DESIGN COMMITTEE PHONE 923-4733 <i>[Signature]</i>	APPROVED	☒
	NOT APPROVED	☐
	PRELIMINARY	☐
	CHANGES	☒
	VARIANCE	☐
CONSTRUCTION	CONDITIONAL	☒
	RESUBMIT	☐
10/16/24 <i>[Signature]</i>		
Construction shall be completed within one year of approval date		

SURV	PLAN	AREA	LENGTH	WIDTH	PERIMETER	AREA	PERIMETER
1	116.20	118.94	112.07	112.07	112.07	112.07	112.07
2	60.65	114.16	98.04	98.04	98.04	98.04	98.04
3	139.83	148.28	148.28	148.28	148.28	148.28	148.28

SURVEYOR'S CERTIFICATE

I, MICHAEL P. LATFERTY, HEREBY CERTIFY THAT THIS MAP ACCURATELY DEPICTS THE TOPOGRAPHIC SURVEY PERFORMED UNDER MY SUPERVISION ON 07/2024 OF THE ABOVE DESCRIBED LOT. I HAVE REVIEWED THE MAP AND THE FIELD NOTES AND THE RESULTS OF ALL IMPROVEMENTS, EASEMENTS, RIGHTS-OF-WAY IN EVIDENCE OR KNOWN TO ME AND ENROLLMENTS BY OR ON THESE PREMISES ARE ACCURATELY SHOWN.



MICHAEL P. LATFERTY PLS. # 37972

DATE SURVEYED: 07/2024
DATE PREPARED: 08/2024
FILE NO.: 2024-079
CLIENT: HEBBROFF

NOTICE: According to Colorado law you must commission any legal action based upon this survey within three years after your last observation of such defect. This notice is given to you for your information and is not intended to constitute an offer of insurance or any other financial product. Please consult your insurance broker for more information.

COLORADO PARKS AND WILDLIFE

From: Tesch - DNR, Kurtis <kurtis.tesch@state.co.us>

Sent: Friday, March 7, 2025 11:16 AM

To: Jim Wahlstrom <JWahlstrom@tosv.com>

Cc: Collatz - DNR, Bryce <bryce.collatz@state.co.us>

Subject: Re: Bottom of Five Road (Snowmass Valley Properties) - Administrative Zoning Review for a Pond addition; and 211 Deer Ridge Lane at Lot 5, Ridge Run IV - Retaining Wall Variance

Jim

Colorado Parks and Wildlife has reviewed the 211 Deer Ridge Lane Application for a retaining wall variance. CPW has no major issues with this project.

Colorado Parks and Wildlife appreciates the opportunity to comment on this project. If there are any questions or need for additional information don't hesitate to contact District Wildlife Manager, Kurtis Tesch at (970) 948-1662.

Thanks

Planning Commission
Town of Snowmass Village
Snowmass Village, CO 81615

Re: Public Hearing on May 7, 2025 for 211 Deer Ridge Lane, L5RRIV Retaining Wall Variance Application Submitted by Katherine Adams on behalf of owners Sky High Properties LLC , and residents Bram and Lara Hechtkopf

May 1, 2025

To The Members of the Town Planning Commission,

As the across the road and downslope neighbors to the property for which the retaining wall variance is being requested, we have been given no choice but to write in opposition to the current proposal. While would like to be good neighbors and acquiesce, we have serious concerns about the application's rationale and the project's impact on the neighborhood and Town.

We have tried numerous times to talk to and meet with the property owners, our neighbors Bram and Lara Hechtkopf, and their landscape designer, Katherine Adams, in order to have our concerns heard and addressed. In all cases, they have ignored our emails and/or delayed responding to requests for information or meeting up.

Please know that when we initially reached out to them as soon as we were given notice through the public hearing process, we did not want to be opposed to their request for a variance—and we told them so. We were writing to them seeking additional information. When they did not respond and none was made available, we contacted Jim Walstrom, who pointed us to the town website to see the application and the plans.

We still hope to meet with the landscaper this weekend on May 3 or 4 in advance of the hearing. Nonetheless, since we don't have the information from the Hechtkopfs we've asked for and they have yet to set a time to meet, we feel we must write to the Planning Commission before the deadline expires at noon today to make sure our points are considered in advance of the Planning Commission's Public Hearing on May 7.

We respect the process. We understand the application has been in the works since last November. We just wish the Hechtkopfs had reached out to us directly so we could have had time to work with them and their team rather than finding out from a letter in the mail only weeks ago.

At this point, we do not question the professionalism and expertise of the designers, engineers, Town Staff, and Snowmass Design Committee members who have reviewed and

consented thus far to the proposal for a variance. We believe the technical specifications are sound and each body has applied their narrow and focused review of the proposal. We simply offer another lens to the matter as homeowners who have been in this neighborhood for more than 25 years and part of the Town of Snowmass Village since the 1970s.

Our position is that the Adams/Sky High/Hechtkopf proposal to obtain a variance for the purposes of erecting a retaining wall:

- Fails to meet the first five criteria defined by the Town's Review Standards for a Variance.
- Runs counter to the Development Code for the Town of Snowmass Village, Sec. 16A-4-320 Landscaping and Grading and Building and Design Guidelines to Preserve Community Character, thus also failing to meet the sixth and final criteria.

We kindly ask that you give consideration to the information set forth in the following document as you review the applicant's request for a variance not just from the technical aspects but also in relationship to the needs and interests of neighbors, the neighborhood and the Town of Snowmass Village.

Sincerely,

Jill Dalby
150 Deer Ridge Lane

Jay Lambiotte
174 Deer Ridge Lane

Chris Chaffin
174 Deer Ridge Lane

NOTE IN SUPPORT OF DENYING THE VARIANCE TO BUILD A RETAINING WALL OUTSIDE OF THE SETBACKS AT 211 DEER RIDGE LANE

IN SUMMARY:

1. The Adams/Sky High/Hechtkopf fails to meet the criteria set forth in the Review Standards defined by the Town's Review Standards for a Variance.
 - The statements made in the application run counter to our observations and experience in the neighborhood as long term residents.
2. The proposed project runs counter to the Development Code for the Town of Snowmass Village, Sec. 16A-4-320 Landscaping and Grading and Building and Design Guidelines to Preserve Community Character.
 - The retaining wall is an unnecessary disruption to the natural topography and site conditions.
 - The proposal fails to acknowledge and address the impact of the wall and its drainage plan on the hillside's underground water flow and the area's vernal springs. Underground water flow is a highly relevant neighborhood-wide issues which appears not to have been considered in the proposal . It is beyond our comprehension that the topic has been overlooked by others during the design and review process no one sought to learn about the neighbor's and hillside's water flow and water issues.
 - The plans disregards the code requirement which states that "the site integration shall be influenced by—and shall respond to—the natural features and the mountain setting that surrounds the property."

IN DETAIL:

The criteria for granting a variance have not been met so the application needs to be denied. TOSV states that an application for a variance shall comply with ALL OF the following Review Standards and not all standards have been met.

TOSV Standard 1: Special circumstances exist. There are special circumstances or conditions, such as exceptional topography, or the narrowness, shallowness or shape of the property, that are peculiar to the land or building for which the variance is sought, and do not apply generally to land or buildings in the neighborhood.

Applicant writes: The topography is a very steep slope that renders a large area of the property unusable. There is erosion occurring every year and this will stabilize the hillside and prevent erosion and make it safer for use. The property features exceptional topography with a steep slope that is prone to significant annual erosion. This steepness is not common to all properties in the neighborhood, creating a unique need for structural support to maintain property integrity and usability.

COUNTERPOINT: The backyard of 211 Deer Ridge Lane is no steeper than other yards in the neighborhood. Their yard does not represent a special circumstance. We all have this steep grade in our back yards. This slope is the general slope characteristic to all the other land in the neighborhood. They bought a house on a hill, just like we all did.

We see no evidence of erosion over the seasons and the years. As the downslope neighbors, we would like to think that we would know. And if it is true, we would like to see the data. Moreover, were it true, why were we not told? As the immediate downslope residents, we should have been informed when the information was first collected. We were not. If there is such massive erosion and earth instability, we should all be very concerned about this issue were it to be occurring.

TOSV Standard 2: Not result of applicant. The special circumstances and conditions have not resulted from any act of the applicant.

Applicant writes: The circumstances are the existing steep natural topography and not the result of any act of the owner or applicant. The steep topography and ongoing erosion are natural conditions of the land and were not created or exacerbated by any actions taken by the applicant. The requested variance is a direct response to an existing environmental concern rather than a self-imposed condition. The variance is a result of meetings with the Snowmass DRC where a single-tier wall was the agreed solution over a two-tier wall that was below 30".

COUNTERPOINT: What is the existing environmental concern? There is no erosion. To the extent that they have a concern, they are already addressing it. After purchasing the house in 2019, they invested heavily in a large landscaping project in the backyard planting numerous trees and shrubs on the hillside. They need to give time for those trees to grow.

TOSV Standard 3. Strict application causes practical difficulties. The special circumstances and conditions are such that the strict application of the provisions of this Development Code would result in practical difficulties to and undue hardship upon the use of the land or building;

Applicant writes: The special circumstances and conditions are such that the strict application of the provisions of this Development Code would result in practical difficulties to an undue hardship upon the use of the land or building. The owner cannot use or maintain the area of the property that is subject of the application. Strict enforcement of setback requirements

would prevent the construction of a retaining wall, leaving the property vulnerable to continued erosion. This limitation would result in practical difficulties for property maintenance, safety concerns, and a diminished ability to use the yard.

COUNTERPOINT: What are the practical difficulties? Owner uses and maintains a large portion of their yard. It should go without saying that not all parts of a yard on a hill can be used for activities that require a level yard. We have raised our children on this hillside. They found activities in the yard that used the hill and we quite happy. If the rationale for putting in a retaining wall to level a hill to create useable play space is relevant, what happens to other houses and neighborhoods? Does Snowmass change to a town that looks like a tiered hillside?

TOSC Standard 4: Necessary to relieve practical difficulties. The granting of the variance is necessary to relieve the applicant of the practical difficulties and undue hardship in the use of the land or building and is the minimum variance that could be granted to achieve said relief;

Applicant writes: Since a large section of the site is unuseable, the variance will provide the owner with relief without affecting the setback. This is the minimum variance necessary to make this portion of the land useable. The proposed retaining wall is the minimum necessary adjustment to effectively mitigate erosion and improve safety. The wall will be designed and engineered to conform as closely as possible to existing regulations while addressing the steep slope's challenges.

COUNTERPOINT: If there are no practical difficulties, then there needs not be relief from it. Again, what are the practical difficulties and undue hardship? What is the evidence of massive erosion.

TOSV Standard 5: Not adversely affect neighborhood. The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the property in question, will not impair an adequate supply of light or air to adjacent property, will not increase the danger of fire or otherwise endanger public safety or the public interest and will not substantially diminish or impair property values within the neighborhood;

Applicant writes : The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the property in question, will not impair an adequate supply of light or air to adjacent property, will REDUCE the danger of fire The retaining wall will not negatively affect the character of the neighborhood. Instead, it will improve the property's appearance, mitigate erosion impacts that could extend to neighboring lots, and. Maintain the stability of the shared hillside areas. The proposed design, with approval from DRC, will blend with the natural surroundings and have no adverse affects on property values.

COUNTERPOINT: The granting of the variance does change the character of the neighborhood and it does affect the enjoyment of the land abutting and across the street. What would TOSV look like if all houses with sloped yards were permitted to erect 60 foot long, 8 foot high retaining walls to level their backyards and create more useable space? The land is enjoyable as it is. This is a mountain town. To create useable space for children is time-specific. Children grow up and have less time to play in yards. To allow retaining walls to create space for children to play is a short sighted argument.

TOSV Standard 6: Harmony with Development Code. The granting of the variance will be in harmony with the purposes and intent of this Development Code, including the intent of the underlying zone district. No variance shall be approved that permits the construction or enlargement of any building or decks and related structures for any use prohibited in the underlying zone district.

Applicant writes: The granting of the variance will be in harmony with the purposes and intent of this Development Code, including the intent of the underlying zone district. The project aligns with the intent of the Development Code by addressing environmental and safety concerns in a responsible manner. The retaining wall is designed and engineered in compliance with engineering standards to ensure proper drainage, prevent adverse impact to adjacent properties, and maintain the aesthetic integrity of the area.

COUNTERPOINT: The project Runs counter to the Development Code for the Town of Snowmass Village, Sec. 16A-4-320 Landscaping and Grading and Building and Design Guidelines to Preserve Community Character and it is not consistent with The Comprehensive Plan. The project fails to understand that the wall does indeed overwhelm the surrounding mountain environment, reference in the building design guidelines of Town Code.

Applicant writes: The granting of the variance will be consistent with the intent of the Comprehensive Plan. The project is consistent with the Snowmass Village Comprehensive Plan's goals of preserving the natural landscape, ensuring public safety, and maintaining property stability. The proposed retaining wall will support these objectives by preventing erosion, stabilizing the hillside, and enhancing the usability of the outdoor space without compromising ecological balance.

COUNTERPOINT: Granting the variance and allowing an 60 foot long, 8 foot wall does not preserve the natural landscape. It cuts into it , and it disrupts it. We have been given no evidence to support the arguments that there is erosion or problems with stability. What is the public safety risk they claim?

If we were to ask you to focus on one public safety risk—one that has not been addressed as far as we can see—it would be the underground flow of water. As far as we can tell, the project design and plan fails to consider the natural watercourse of underground water. **THIS IS A MAJOR RISK.** There is a history of water problems in our neighborhood.

- We are in the process of seeking more information regarding the underground water problems presented when the roadside retaining wall in the public way was built several years ago. It is our understanding that properties below 211 Deer Ridge Lane were flooded and the wall had to be redesigned and with additional mitigation to accommodate watercourses. We have sought more information from Public Works and Town Engineer and are waiting to hear back.
- There is a vernal spring that runs between 174 and 150. The uphill source of this spring has not been identified. How will the retaining wall impact the underground watercourse of this spring? How will any irrigation planned on site contribute to soaked earth and run off? The drainage plan in the proposed project fails to show this information?
- 150 Deer Ridge Lane has always experienced a mild problem with percolating water in the spring mud season in an uphill crawl space under the house. How will the retaining wall which may be erected directly uphill of this space impact the watercourse which produces this percolation? The plan fails to consider this matter or report on it.

The application does indeed affect the neighborhood and the neighbors and the project can potentially have major adverse impacts on nearby properties and property values.

IN CONCLUSION:

The applicant has failed to provide an application for a variance that complies with ALL OF the Review Standards.

We respectfully ask the Planning Commission for the Town of Snowmass Village to deny or delay the granting of the variance at this time so that the concerns laid out here which can be addressed are indeed addressed.

Copy of First Letter mailed to Bram Hechtkopf April 21, 2025

*Bram and Lara Hechtkopf
Sky High Snowmass LLC
211 Deer Ridge Lane
Snowmass Village, CO 81615*

April 21, 2025

Dear Bram and Lara,

We are your downslope neighbors at 150 and 172 Deer Ridge Lane. We have each had our houses here for more than twenty-five years and have raised our children on this hill as well.

We are in receipt of your letter and have reviewed the information you sent regarding your proposal to obtain a variance to permit and build a non-conforming retaining wall on your property.

While we would like to support your proposal, we have a number of concerns and requests that must first be addressed. Please share the following pieces of information with us:

§ Detailed design drawings (minimum size 11x17 at high resolution) that offer a better rendering of what is being proposed. The drawings included in the "211 Deer Ridge 04.15.25" pdf are very small and too blurry to read. Please also include any digital renderings you've received.

§ An explanation of what the posts and caution tape are depicting on your property.

§ Any evidence or photos of "significant annual erosion" that you reference as we have not observed any erosion. The current condition seems to perform well as regards hydrology and erosion, and we are concerned that changing the current hillside might create erosion so obtaining thoughts from your design team on that question would be helpful.

§ Landscaping design drawings that show what the wall and northside will look like upon completion.

§ Any and all reports from the civil engineers you have worked with or are working with.

§ An impact report from a hydrologist on the new water flow pattern created by the wall's disruption to that slope. (You may not be aware that there is a history of flooding downslope neighbors from retaining walls built on this lane.)

§ A plan to mitigate around your utility meter board, erected several years ago but never screened.

§ General information on the contractor who you intend to perform the work including description of insurance coverage they will provide to the project.

§ Schedule for the work.

We are confident you understand that if you were in our situation you would also want this information. We remain hopeful that we can all work together to obtain your objective.

We will be in Snowmass the afternoon of May 3 and the morning of May 4 and would be happy to meet with you and/or design team members on site.

*Sincerely,
Jill Dalby
150 Deer Ridge Lane*

*Chris Chaffin
172 Deer Ridge Lane*

*Jay Lambiotte
172 Deer Ridge Lane*

Email to Bram Hechtkopf from Jay Lambiotte dated May 1, 2025 sent 1:43 PM

Hello Bram:

We have not received any further information from you this week.

We reached out Jim Wahlstrom with Town of Snowmass Village to try to get some of our questions answered. We learned from Jim that board packets for the May 7 meeting are being finalized today and that if we had any input on the project, we needed to submit a letter to the town by noon today.

Unfortunately, we just don't have a clear picture of what you intend to build, and from what we think we understand, the proposed project does not seem to meet the requirements for a variance. We have submitted a letter to the town explaining our thoughts. We certainly wish there had been more time to work with you before the Town's deadline.

We do want to follow through on our meeting on Saturday afternoon or Sunday morning with your landscaper. Please put us in touch with them to setup a time. And we are available to meet with you or Lara on Sunday before noon should you be back from Moab earlier.

Thanks:
Jay